

**BEFORE THE HEARING PANEL OF INDEPENDENT COMMISSIONERS**

**IN THE MATTER**

of the Resource Management Act 1991

**AND**

**IN THE MATTER**

of an application to Masterton District Council by  
Welhom Developments Limited for a private plan  
change to the combined Wairarapa District Plan

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**SUPPLEMENTARY LEGAL SUBMISSIONS  
ON BEHALF OF WELHOM DEVELOPMENTS LIMITED**

**9 MARCH 2023**

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McAugh**

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## 1. INTRODUCTION

1.1 The purpose of these supplementary legal submissions is to address various matters raised at the hearing yesterday.

## 2. SECTION 74 OF THE RESOURCE MANAGEMENT ACT

2.1 Section 74 of the Resource Management Act 1991 ("**RMA**") sets out matters that are to be considered when preparing and changing a district plan. The Hearing Panel sought clarification as to the statutory basis for consideration of non-statutory documents, specifically:

- (a) the Masterton Urban Growth Strategy ("**MUGS**");
- (b) Draft Combined Wairarapa District Plan; and
- (c) the various Government Policy Statements.

2.2 Section 74(2)(b)(i) requires the Hearing Panel to have regard to management plans and strategies prepared under other Acts.

2.3 From comments made by Ms Barr yesterday, we understand MUGS was produced under the Local Government Act 2002, although never adopted (and given that the Council is a creature of statute, any strategy it commissions must have a statutory basis). This would make it fall under section 74(2)(b)(i). Waka Kotahi's Road to Zero strategy can equally be considered under section 74(2)(b)(i).

2.4 Even where a document does not fall under one of the categories listed in section 74, the Environment Court has considered other non-statutory documents, and has been clear that:<sup>1</sup>

But of course the Council (or the Court on appeal) may have regard to it, simply as a piece of relevant and useful material. Given the relevance of its subject matter, and the research and effort that went into its preparation, it would be odd to simply ignore it.

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<sup>1</sup> *Landco Mt Wellington Ltd v Auckland City Council* ENC Wellington W042/08, 7 July 2008 at [31]. Similarly, see *Kiwi Property Holdings Ltd v Christchurch City Council* [2012] NZEnvC 92 where a draft plan was considered in the context of a plan change. For a discussion of the weighting of different statutory and non-statutory documents, see *Art Deco Soc (Auckland) Inc v Auckland Council* [2012] NZEnvC 125 at [9].

2.5 As a result, each of these documents can lawfully be considered by the Hearing Panel, and appropriate weight given to them as the Hearing Panel sees fit. We have already provided submission on the weight to be given to the various documents.

### 3. SECTION 32 ASSESSMENT

3.1 Commissioner McMahon asked questions regarding the relevant objective or objectives for the purposes of section 32 of the RMA.

3.2 Section 32(3) is clear that in the context of a plan change to an existing plan, the evaluation under section 32 relates to both:

- (a) the provisions and objectives of the plan change; and
- (b) the existing district plan objectives, to the extent they are relevant and would remain unchanged.

3.3 In relation to the objective(s) of the Plan Change, section 32(6) directs that this is the "purpose" of the plan change in this context. As confirmed by Mr Lewandowski yesterday, his section 32 evaluation has considered the existing plan objectives and the purpose of the Plan Change.

### 4. NATIONAL POLICY STATEMENT FOR HIGHLY PRODUCTIVE LAND

4.1 As requested by the Hearing Panel, we provide further submissions in relation to the National Policy Statement for Highly Productive Land ("**NPS-HPL**").

4.2 Commissioner McMahon asked questions in relation to the definition of highly productive land within the NPS-HPL. That definition states:

**highly productive land** means land that has been mapped in accordance with clause 3.4 and is included in an operative regional policy statement as required by clause 3.5 (but see clause 3.5(7) for what is treated as highly productive land before the maps are included in an operative regional policy statement and clause 3.5(6) for when land is rezoned and therefore ceases to be highly productive land)

4.3 Importantly, that definition distinguishes between land mapped in accordance with clause 3.4, and land that should be treated as highly productive land before that mapping exercise is completed. The interim definition of highly productive land is determined under clause 3.5(7):

(7) Until a regional policy statement containing maps of highly productive land in the region is operative, each relevant territorial authority and consent authority must apply this National Policy Statement as if references to highly productive land were references to land that, at the commencement date:

(a) is

(i) zoned general rural or rural production; and

(ii) LUC 1, 2, or 3 land; but

(b) is not:

(i) identified for future urban development; or

(ii) subject to a Council initiated, or an adopted, notified plan change to rezone it from general rural or rural production to urban or rural lifestyle.

4.4 Importantly, at that interim stage, there is no consideration of whether it "forms a large and geographically cohesive area". On that basis, Summerset has treated the Site as highly productive land, and assessed the Plan Change against the criteria in clause 3.6(4) and (5).

4.5 In relation to clause 3.6(4)(a), while a focus of our opening submissions was on the retirement village component of the Plan Change, yesterday Mr Heath took the Hearing Panel to his evidence outlining the growing shortfall in general residential supply. This is addressed in Figures 1 and 2 of section 7 of his evidence. The shortfall is also clearly outlined in Table 1 of Mr Heath's economic assessment provided as Appendix 10 to the Plan Change request. That assessment identifies a shortfall of 2323 dwellings by 2031, and 7863 dwellings by 2051 (based off the medium growth projections).

4.6 That information is relevant to both criterion (a) and subclause (5), and in our submission further reinforces the need for the whole Site to be rezoned.

## 5. COMMENTARY ON STRUCTURE PLANS AND COMPREHENSIVE DEVELOPMENT

5.1 Commissioner Daysh requested further submissions regarding the vires of pre-conditions regarding structure plans.

5.2 In short, the Environment Court has been clear that:<sup>2</sup>

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<sup>2</sup> *Re Auckland Council* [2016] NZEnvC 065; see also *Queenstown Airport Corporation Ltd v Queenstown Lakes District Council* [2014] NZEnvC 92.

- (a) It is ultra vires to require a structure plan (or similar) be sought through a consent process (as a consent process must enable a land use).
- (b) It is not appropriate to have the activity status of an activity determined with recourse to another resource consent. Rather, the activity status of an activity should be capable of determination based on the District Plan itself.

5.3 Separately, it is also ultra vires to have a district plan be amended through a resource consent process, as sought by the Council.

## 6. COPIES OF PLANS

6.1 The Hearing Panel requested clearer versions of certain plans provided by Welhom. Accordingly, please find **attached**:

- (a) A larger version of the Outline Development Plan.
- (b) Figure 6 from Mr Heath's evidence. Mr Heath can also take the Hearing Panel through the various sources of information used to develop Figure 6.

## 7. RANGIORA EXAMPLE

7.1 During Mr Bentley's presentation, the Hearing Panel considered it would be beneficial to see details of Summerset's Rangiora village, which involved a similar plan change process followed by a resource consent. Accordingly, we **attach**:

- (a) the outline development plan that was incorporated into the Waimakariri District Plan as a result of the plan change;
- (b) the Council decision accepting Summerset's plan change request;
- (c) the masterplan for Summerset's Rangiora Village provided as part of the resource consent application;
- (d) the floor plans for the main building of the village provided as part of the resource consent application; and
- (e) the resource consent decision from the Council granting resource consent.

7.2 Mr Smail can speak to the facilities provided as part of the Rangiora Village.





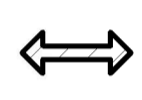




**Dated** 9 March 2023

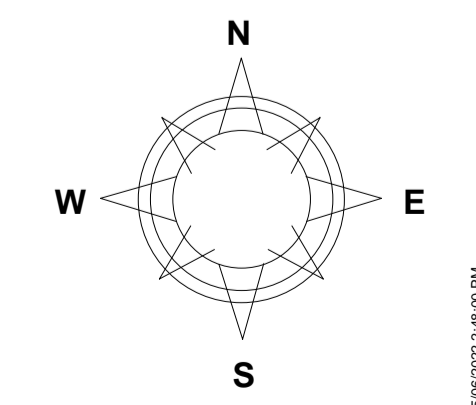
Daniel Minhinnick / Jacob Burton / Poppy Mitchell-Anyon  
**Counsel for Welhom Developments Limited**

# COPIES OF PLANS



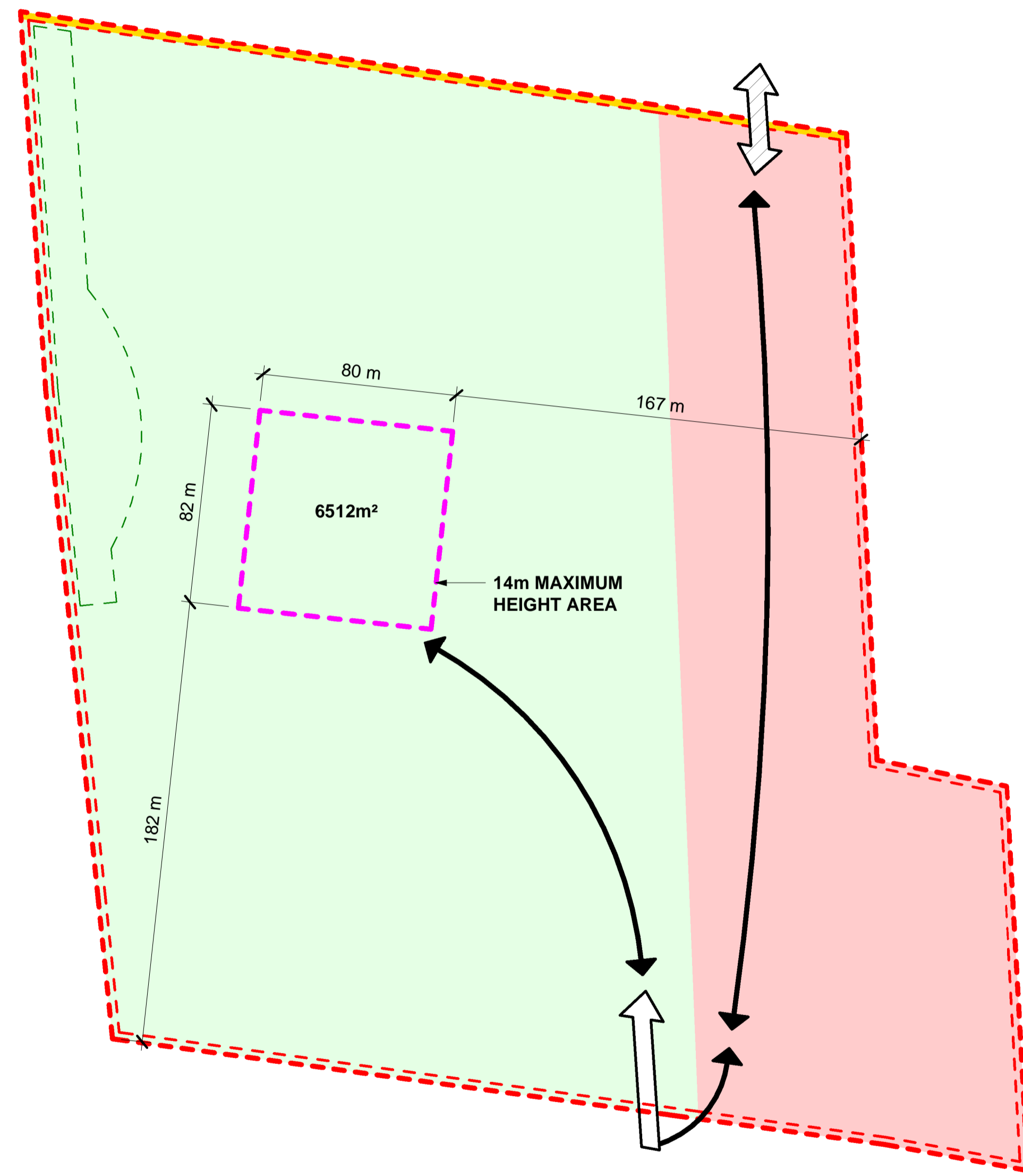
**LEGEND**

-  SITE BOUNDARIES
-  RESIDENTIAL/RETIREMENT VILLAGE DEVELOPMENT
-  RESIDENTIAL DEVELOPMENT
-  14M MAXIMUM HEIGHT AREA (6512 m<sup>2</sup>)
-  1.5m-2m PLANTED AREA
-  POTENTIAL FUTURE ROAD CONNECTION
-  INDICATIVE ROAD CONNECTION
-  STORMWATER MANAGEMENT AREA (INDICATIVE ONLY)
-  BOUNDARY SETBACK AREA (3m)
-  INDICATIVE KEY CONNECTIONS



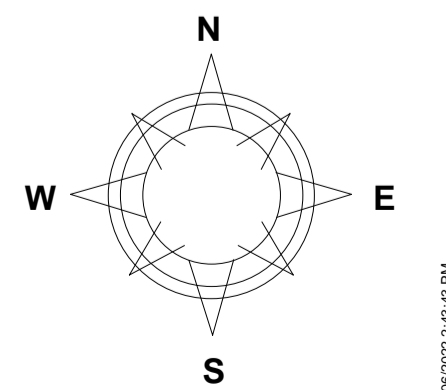
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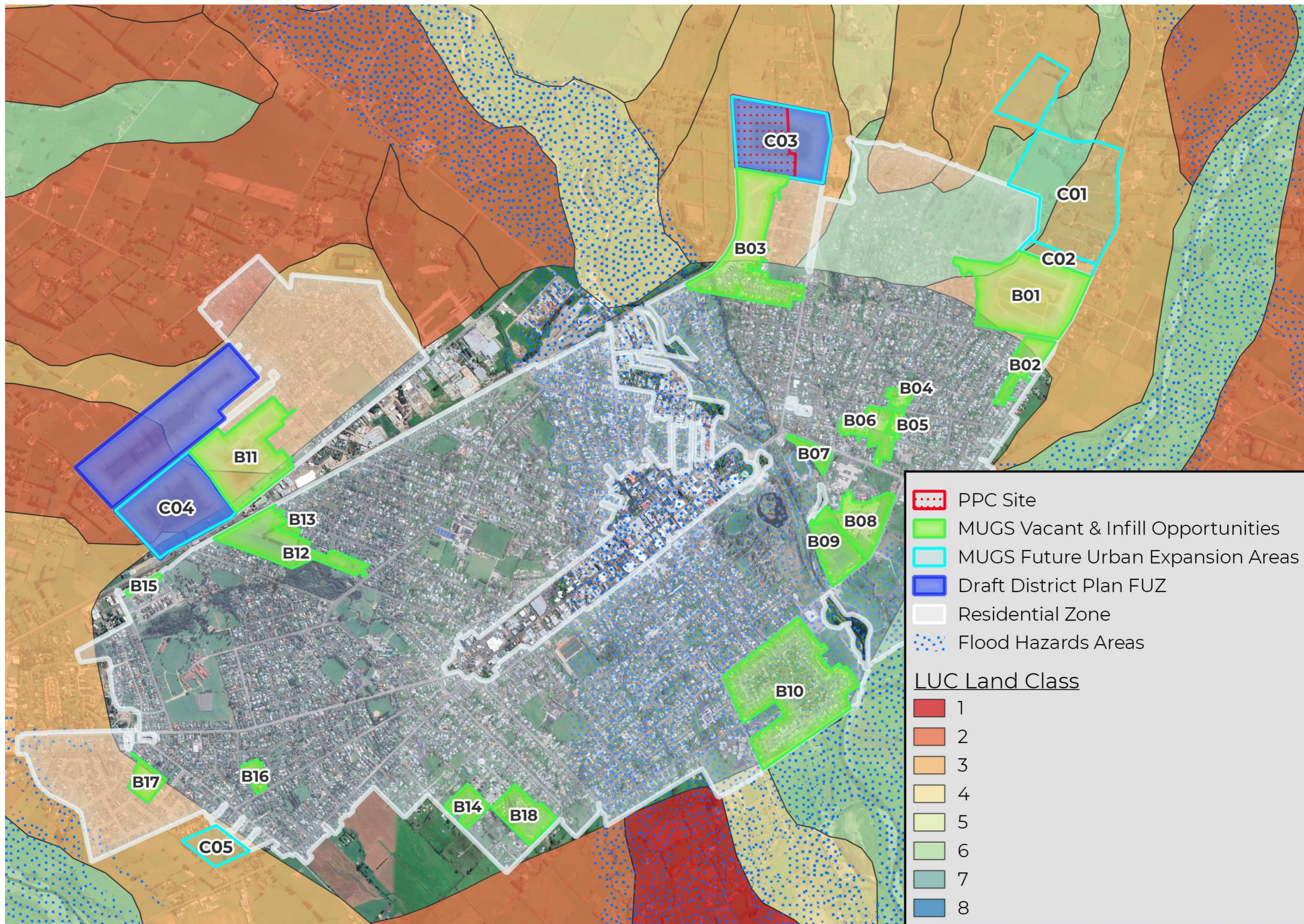




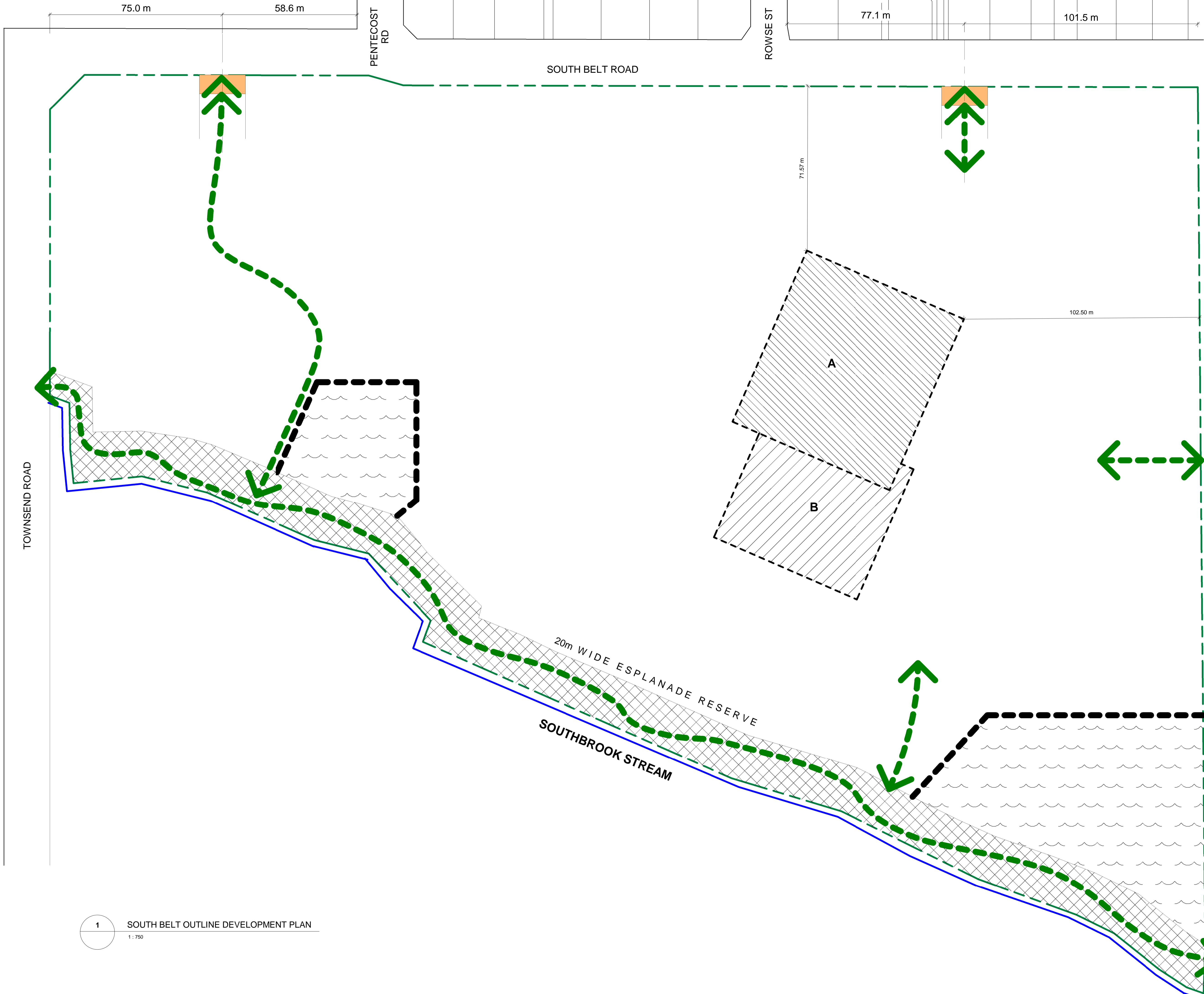
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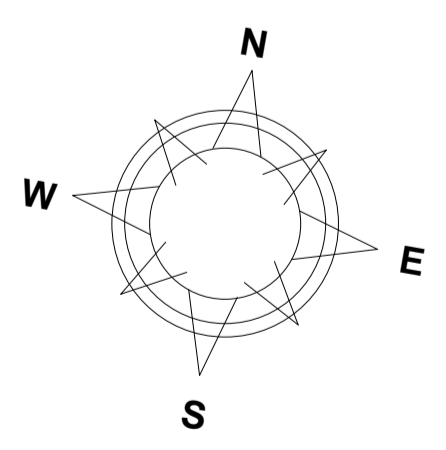




# RANGIORA EXAMPLE



LEGEND	
	Outline Development Plan Area
	Fixed Road Connection (20m)
	Esplanade Reserve
	South Brook Stream
	Stormwater Management Area
	Height Restriction Area A (14m)
	Height Restriction Area B (10.5m)
	Indicative Pedestrian / Cycle connection (location and alignment may vary)



Rev	Date	Description

Client:

Summerset Head Office Ph. 04 894 7320 Fax. 04 894 7319  
 headoffice@summerset.co.nz www.summerset.co.nz

Project Name: SUMMERSET VILLAGE RANGIORA

Project Stage: DRAFT Block Number:   
 Drawing Title: SOUTH BELT OUTLINE DEVELOPMENT PLAN

1 SOUTH BELT OUTLINE DEVELOPMENT PLAN  
 1:750

DO NOT SCALE DRAWINGS. DATE 18/09/19  
 Original Sheet Size: A1  
 Project Number: 048 Drawing Number: MP.001 Rev: 1

# WAIMAKARIRI DISTRICT PLAN

## PRIVATE PLAN CHANGE 29

### SUMMERSET VILLAGES (RANGIORA) LIMITED 104 TOWNSEND ROAD, RANGIORA

## DECISION

October 2020

**RESOURCE MANAGEMENT ACT 1991**

**WAIMAKARIRI DISTRICT COUNCIL**

**WAIMAKARIRI DISTRICT PLAN**

**PROPOSED DISTRICT PLAN CHANGE NUMBER 29**

**BY**

**SUMMERSET VILLAGES (RANGIORA) LIMITED**

**TO**

**REZONE 13.96 HECTARES OF LAND LOCATED ON SOUTH BELT ROAD, RANGIORA  
FROM RESIDENTIAL 4B TO RESIDENTIAL 2 WITH PROVISIONS FOR A RETIREMENT  
VILLAGE**

**Decision by**

**Commissioner Matt Bonis**

**Hearings held on 18 September 2020**

**OCTOBER 2020**

Appearances:

Council:

Ms Samantha Kealey (Council Planner)

Mr Bill Rice (Council Asset Manager – Transportation)

Mr Kalley Simpson (Council Asset Manager – Water Services)

Applicant:

Mr Daniel Minhinnick (Legal Counsel)

Mr Aaron Smail (Corporate)

Mr Mark Georgeson (Transportation)

Mr James Bentley (Landscape and Visual)

Ms Stephanie Styles (Planning Consultant)

Submitters

For McAlpines Ltd and McAlpines Timber (McAlpines)

- Ms Meg Buddle (Legal Counsel)
- Mr John Duncan (Corporate)
- Mr William Reeves (Acoustic)

Ms Beth Tavui (Resident, 102 South Belt, Rangiora)

Ms Mandy Scott (Resident, 104 South Belt, Rangiora)

Ms Sally Shackleton and Mr Steven Boyd (110A South Belt, Rangiora)

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## 1.0 Introduction

- [1] In December 2019, pursuant to section 73(2) of the RMA, Summerset Villages (Rangiora) Ltd (**the Proponent**) requested a change to the Waimakariri District Plan (**the Plan**).
- [2] Pursuant to clause 25(2)(b) of Part 2 to Schedule 1 of the RMA the Waimakariri District Council (**WDC or the Council**) has accepted that request which means that the plan change (now called **Private Plan Change 29 – PC29**) remains a private plan change with Council administering the process of notifying it and conducting a hearing of submissions on it.
- [3] The plan change seeks to rezone a 13.96 hectare site located on the south western edge of Rangiora Township fronting South Belt and Townsend Road, as referenced as 104 Townsend Road in the plan change request and evidence.
- [4] The subject site, as zoned Residential 4B has statutory recognition as an ‘existing urban area’ in Chapter 6 of the Canterbury Regional Policy Statement (**CRPS**).
- [5] The plan change seeks application of a Residential 2 zone, which in conjunction with additional provisions facilitating development of a retirement village would greatly increase residential density. The proposal does not involve any changes to objectives and policies, and fundamentally seeks to utilise the operative Residential 2 standards.
- [6] The plan change inserts an Outline Development Plan (**ODP**) to guide development, a definition for ‘Retirement Village’ in conjunction with specific urban design provisions and bulk and location provisions relating to such, and lastly rules in relation to fixed floor levels.
- [7] The location of the land subject to PC29 is shown in Figure 1 below:



Figure 1: PC29 Location, Rangiora

### Summary of Decision:

Pursuant to clause 29(4)(a) of Part 2 to Schedule 1 of the RMA, Private Plan Change 20 – Summerset Villages (Rangiora) Ltd is approved with modifications.

## 2.0 Appointment

- [8] Pursuant to instruction from the Council I was appointed to conduct a hearing and make a decision on Proposed Change 29 (PC29) to the Waimakariri District Plan (District Plan).

## 3.0 Process Issues

### 3.1 Notification, submissions and further submissions

- [9] PC29 was publicly notified on 13 June 2020, to which twelve (12) submissions were received. A summary of the submissions was published on the WDC webpage<sup>1</sup>. I have adopted that summary<sup>2</sup>, but can confirm that I have read each original submission in full. No further submissions were received in response to the Council's notification of the summary of submissions.
- [10] Fire and Emergency New Zealand (FENZ) advised on 9 September that there issues were addressed in the s42A Report and would not attend the Hearing.
- [11] The New Zealand Transport Agency (NZTA, Waka Kotahi) provided correspondence on the Plan Change, advising of congestion concerns relating the South Belt /Southbrook intersection). As this correspondence is not set out as a formal submission under Clause 6 of Schedule 1 and as advised by both Ms Styles and Ms Kealey, I have disregarded the NZTA correspondence.
- [12] Submissions received sought amendments to provisions sought by PC29, rather than outright opposition. Five (5) submissions supported PC29 unequivocally.
- [13] The Waimakariri District Council lodged a neutral submission seeking:
- i. Application of a restricted discretionary activity status for urban design and amenity controls applicable to Retirement Village developments, replacing the controlled activity status sought in PC29; and
  - ii. Insertion of a car parking ratio requirement for Retirement Villages.
- [14] The issues raised in remaining submissions seeking amendments include:
- i. Amendments to the fixed intersection locations in the ODP requiring these be aligned with existing streets.
  - ii. The minimum lot size should not exceed 600m<sup>2</sup>.
  - iii. Amending the ODP such that increased height Areas A (14m) and Area B (10.5m) are placed further into the site at a greater distance from South Belt.
  - iv. Construction effects (off-site parking, noise and dust) are explicitly controlled.
  - v. Requirements for sufficient on-site parking to avoid (staff and residents) on street parking.
  - vi. Ensuring that reverse sensitivity effects, particularly sensitivity to noise and light associated with McAlpines existing facilities undertaken at the Southbrook Business 2 zone are addressed.

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<sup>1</sup> [https://www.waimakariri.govt.nz/\\_data/assets/pdf\\_file/0020/86015/DDS-06-05-01-29-Summary-of-Submissions-for-Council-Website-Summerset-Villages-Plan-Chage-29.pdf](https://www.waimakariri.govt.nz/_data/assets/pdf_file/0020/86015/DDS-06-05-01-29-Summary-of-Submissions-for-Council-Website-Summerset-Villages-Plan-Chage-29.pdf)

<sup>2</sup> Pursuant to s113(3)(b) of the RMA.

vii. That sufficient capacity for FENZ to undertake its firefighting duties are facilitated.

[15] Submissions in support raised matters associated with the provision of additional housing stock and housing choice, as well as the provision of pedestrian / cycle connections.

### 3.2 Officer's recommendations

[16] The WDC prepared an Officers Report under section 42A of the RMA for PC29<sup>3</sup>. I have had regard to that report and the advice of the s42A authors who recommended that PC29 be approved subject to modification. Matters canvassed in the Officers Report are discussed, where relevant, in subsequent sections of this Decisions Report.

### 3.3 Hearing appearances and site visit

[17] The Hearing was undertaken on 18 September 2020 at the Rangiora Town Hall.

[18] On 15 September 2020 I was advised that Mr Gary Stevenson (Development Manager – Three Waters) whose evidence was affixed to the S42A report would be unable to attend the Hearing. Mr Kalley Simpson (Council Asset Manager – Water Services) adopted the evidence of Mr Stevenson and attended the Hearing on behalf of Mr Stevenson. Prior to the Hearing I issued Minute 2 which set out several questions for Mr Kalley to respond to during the Hearing. I am grateful for Mr Simpson's considered response to those matters.

[19] Mr Reeve on behalf of McAlpines Limited provided advance evidence in response to Minute 1<sup>4</sup>.

[20] The full suite of evidence was provided by the Proponents experts on 10 September 2020, as supported by Legal Submissions from Mr Daniel Minhinnick presented at the hearing.

[21] For McAlpines Ltd, their submission was supported by Legal Submission from Ms Meg Buddle and Corporate Evidence from Mr John Duncan.

[22] Three submitters appeared at the hearing<sup>5</sup> each of which spoke confidently to their submissions. The material read by Ms Tavui at the Hearing was also circulated on 23 September.

[23] Copies of all statements of evidence and legal submissions are held by WDC. I have not summarised the matters covered here but refer or quote from that material as appropriate in the remainder of this Decision Report.

[24] I received a verbal Reply from the Proponents at the Hearing. I closed the Hearing on 18 September.

[25] Prior to the hearing, and immediately after the Hearing was closed, I undertook a site visit where I was able to view the Plan Change site from various positions and obtain a broader understanding of how it connected to the surrounding environment.

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<sup>3</sup> S42A Report of Samantha Kealey, Planning Report on submissions and further submissions. 3 September 2020.

<sup>4</sup> Dated 5 August.

<sup>5</sup> Beth Tavui (#4), Sally Shackleton and Steven Boyd (#6) and Mandy Scott (#10).

## 4.0 Background and description to Plan Change 29

[26] The Proponents prepared numerous documents in support of PC29 that I have read and had regard to. These include:

- (i) the Summerset Villages (Rangiora) Ltd Application to change the Waimakariri District Plan pursuant to Section 73(2) of the Resource Management Act 1991 (incorporating Section 32) – the December 2019 Application.
- (ii) Appendices to the initial request including infrastructure, transport, stormwater, geotechnical, and landscape and assessment relevant to the Resource Management (National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health) Regulations 2011.
- (iii) the Proponent's responses to requests for further information from the Council dated 5 March 2020 and 7 April 2020.

[27] In the interests of brevity and efficiency I will cross-reference to, or adopt parts of those documents in this Decision Report.

[28] The nature of PC29 was set out in the December 2019 Application. PC29 seeks to:

- Insert District Plan Map 184 (South West Rangiora Townsend Road Outline Development Plan);
- Amend District Plan Maps 116 and 117 to show the proposed Residential 2 Zone;
- Add a new definition into Chapter 1 for a Retirement Village;
- Add retirement villages into the Residential 2 Characteristics table 17.1;
- Amend exemption Rule 30.6.2.7 as it applies to Rule 30.6.1.32 (Road intersection spacing);
- Add new clause (m) to Rule 31.1.1.10 (structure coverage);
- Amend Rule 31.1.1.24 and add two clauses (a and b) (structure height);
- Add new clause (c) to Rule 31.1.1.37 (outdoor living space and service areas);
- Add a new Rule 31.1.1.53 (fencing);
- Add a new Rule 31.2.2 (controlled activity for retirement village);
- Add a new Rule 31.3.8 (discretionary activity (restricted) for retirement village);
- Add new clause (ak) to Rule 32.1.1.28 (requirement to comply with Outline Development Plans);
- Amend table 32.1 to include a retirement village in the Residential 2 zone;
- Add new clause (ak) to Rule 32.1.1.28 (subdivision to comply with the ODP)
- Add a new Rule 32.1.1.91 (finished section levels);
- Amend Rule 32.4.1 (non-complying activities);
- Amend Rule 33.1.4 and add new Rule 33.1.7 (esplanade widths adjoining Southbrook Stream); and
- Consequential amendments to numbering, maps and cross references

[29] The District Plan Map 184 (South West Rangiora Townsend Road Outline Development Plan) as sought is shown in Figure 2 below. The Outline Development Plan consists of 'fixed' elements (road connections, esplanade reserve, and Height restriction areas) and 'indicative elements' (pedestrian / cycle connections).

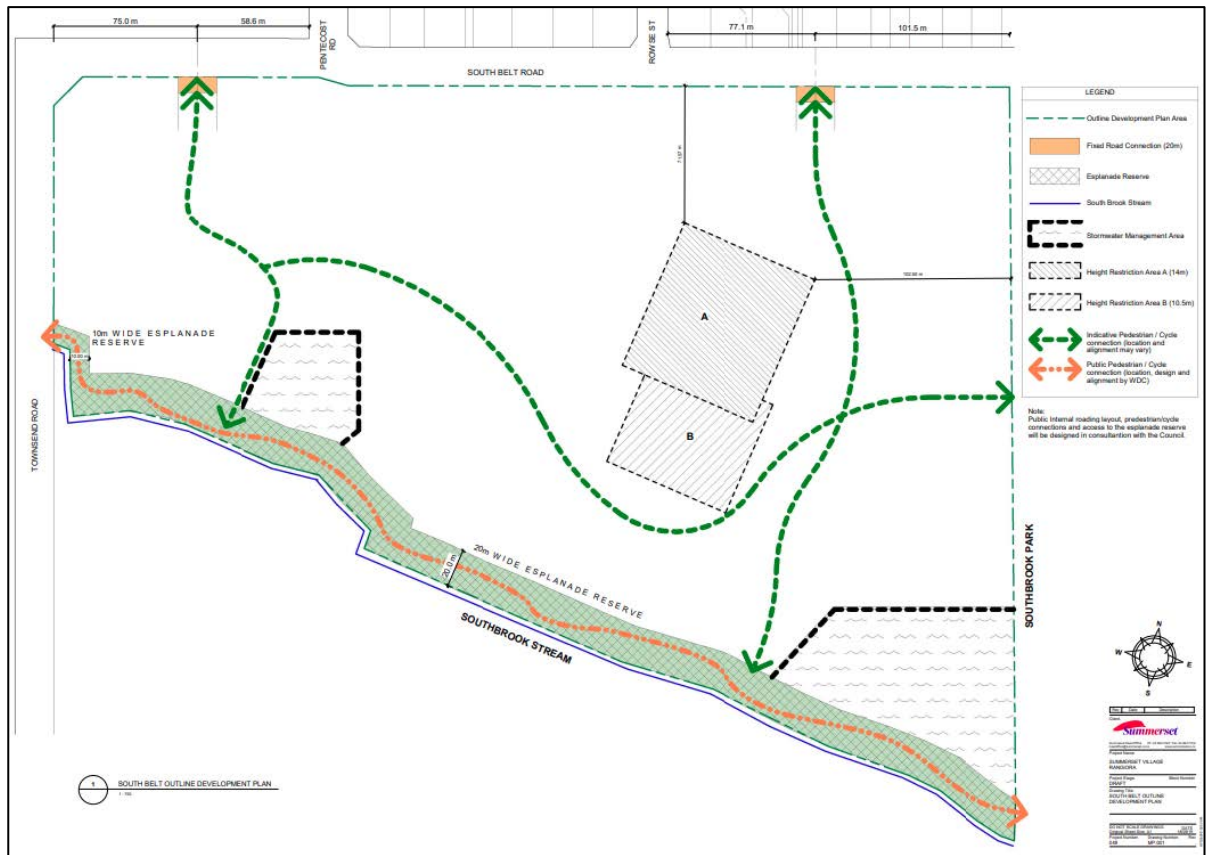


Figure 2: Proposed Outline Development Plan

[30] Under an orthodox Residential 2 zoning, some 140 residential units could be anticipated through the rezoning. Undertaking development as facilitated by the proposed Retirement Village provisions could result in a yield of some 245 retirement villas and 39 residential units (284 dwellings) and 119 living or care suites or beds<sup>6</sup>.

<sup>6</sup> EiC Georgeson. Table 2

## 5.0 The Hearing and evidence

### 5.1 The Applicant

- [31] **Mr Minhinnick** set out the applicant's case. He advised that *Colonial Vineyard vs Marlborough District Council*<sup>7</sup> remained relevant in setting out the mandatory legal framework for assessing the plan change. He advised that as the Plan Change did not seek to insert or amend policies and objectives into the Plan, that the provisions sought were the most appropriate to achieve these operative provisions, having assessed their efficiency and effectiveness, including a consideration of the environmental, social, economic and cultural costs and benefits.
- [32] Mr Minhinnick reiterated that the anticipated adverse effects anticipated as a consequence of PC29 would be insignificant and would result in a number of positive effects. These included increased residential capacity, intensification and housing choice in Rangiora, and opportunity for intergenerational housing supply.
- [33] He advised that the dispute was narrow, given general agreement with the Council and that no submitter sought outright opposition. Disputed matters related to: on-site parking regulation; the status of design controls; and the extent to which the Plan Change should contain additional provisions to manage reverse sensitivity relating to proximate business activities.
- [34] In terms of the former, Mr Minhinnick advised that the newly gazetted National Policy Statement – Urban Capacity (**NPS-UD**) precluded a parking minima as sought within the s42A report, and regardless the recommended provision lacked clarity, overlapped with existing provisions and were neither efficient nor effective.
- [35] Regarding the status for urban design of any prospective retirement village, he advised that a Controlled activity status in conjunction with the broad extent of matters to be considered provided the 'more appropriate' status in achieving the operative objectives of the Plan to both manage adverse effects (as associated with the proposed ODP and existing bulk and location rules) and enabling development certainty. In response to questions, he agreed that Objective 4 of the NPS-UD has particular statutory importance on this issue.
- [36] Lastly, in terms of The McAlpine submission seeking additional reverse sensitivity controls being affixed to PC29, he advised that additional controls were unnecessary and inappropriate.
- [37] **Mr Smail** provided corporate evidence, outlining the increase in demand associated with aged care services, and the range of facilities that would typically constitute a Summerset facility. He identified that Areas A and B as identified in the proposed ODP would allow for the centralised clustering of amenities servicing any prospective retirement village, as set back from neighbouring boundaries and public viewpoints.
- [38] **Mr Georgeson** responded to submitters, confirming his view that the proposed 'fixed road connections' in the ODP were ideally placed to ensure the safe, efficient and effective integration of anticipated development with the wider transport network. He advised that traffic generated from development could be accommodated within the network without material adverse effects, and lastly that operative parking provisions in the Plan<sup>8</sup> would appropriately account for on-site parking demand, with an additional parking provision as sought within the s42A report being unnecessary and inconsistent with the NPS-UD.
- [39] In response to questions he advised that the terms 'dwellinghouse' and 'residential care home' within the operative parking requirements of Table 30.8 would ensure appropriate parking provision for subsequent development.
- [40] **Mr Bentley** took me through the respective site context visual montages providing particular attention to prospective development in Areas A and B<sup>9</sup>. He considered that the visual extent of the 'Main Building' would be largely obscured within the context of surrounding residential development in conjunction with the setback imposed in the ODP and would not be visually prominent from beyond the site. The overall development would

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<sup>7</sup> [204] NZEnvC, 55, at paragraph [17]

<sup>8</sup> Operative Rules 30.8.2 and Rule 30.6.1.34 / Table 30.8.

<sup>9</sup> PC29, Appendix 5 Technical Report Visual and Landscape Report. Views 2 and 3.

not result in material adverse effects, and would be compatible with the amenity and character anticipated by the Residential 2 zoning in the District Plan.

- [41] In relation to questions, Mr Bentley advised that whilst a retirement village would increase residential intensity, residential character would be maintained consistent with that expected in the Residential 2 zone, as managed under the proposed urban design controls accompanying PC29.
- [42] Lastly **Ms Styles** provided a comprehensive consideration of the planning framework against the matters raised by both submitters and contained within the s42A Report.
- [43] Regarding the status for urban design, she commented that the matters of discretion introduced within PC29 were not subject to dispute – only the activity status. She advised that *“the design and appearance rules provide a third layer for assessment, providing for a conversation with Council around detail”*. The Residential zoning (and associated intensification) and ODP, and subsequent bulk and location provisions providing the first and second tiers of a cascade of provisions that will ensure both the macro and micro issues associated with amenity and character are addressed in a manner that appropriately achieves the operative objectives. She reiterated that a Controlled activity status remained the ‘more appropriate’.
- [44] Ms Styles advised that the post-development inundation risk associated with PC29 would give effect to the requirements of the CRPS<sup>10</sup>. She advised that the proposed amendment of rule 32.1.1.91 relating to finished floor levels based on a 0.5% AEP event, and insertion of Rule 27.1.1.33 seeking a minimum finished floor level 400m above a 0.5% AEP event was the ‘more appropriate’ as recommended by Ms Kealey in the s42A report.

## 5.2 The Submitters

### McAlpines

- [45] **Ms Buddle** provided Legal Submission on behalf of McAlpines Ltd and McAlpines Timber Ltd. **Mr Duncan** provided corporate evidence, and **Mr Reeve** provided acoustic evidence. For the sake of brevity, I have summarised their collective evidence.
- [46] It is understood that McAlpines represents a substantial industrial facility<sup>11</sup> as located within Southbrook, some 455 meters (as the crow flies) from the PC29 site<sup>12</sup>. The facility emits considerable noise from the associated sawmill and processing, which in conjunction with a +5dBA penalty for Special Audible Characteristics, could result in a calculated noise level of 49dB L<sub>A10</sub><sup>13</sup> at the interface with the PC29 site<sup>14</sup>.
- [47] Ms Buddle advised that PC29 should be amended to protect the McAlpines facility from reverse sensitivity effects, including through requiring imposition on the ability of future residents to complain about effects from the McAlpines facility; and alternatively (sic) design requirements to ensure development was not impacted by existing Southbrook B2 activities<sup>15</sup>. These effects would manifest as amenity effects on future residents, and the potential for reverse sensitivity effects on the McAlpines operations<sup>16</sup>. Principally, the concern is in relation to noise effects, with the relief expressed as support for recommendation in the s42A report for the status of urban design controls to be set as Restricted Discretionary Activity, and the following matter inserted:

*“the mitigation measures proposed to mitigate potential reverse sensitivity effects on existing activities and future activities that can establish as of right in the Business 2 zone of Southbrook”<sup>17</sup>.*

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<sup>10</sup> CRPS Objective 11.2.1 and Policy 11.3.2

<sup>11</sup> EIC Duncan. [22-27]

<sup>12</sup> EIC Reeve [Appendix A].

<sup>13</sup> Operative Rule 31.12.1.2 requires a measured noise level of 50dBA L<sub>10</sub> during daytime hours.

<sup>14</sup> EIC Reeve [13].

<sup>15</sup> Submissions Buddle [11]

<sup>16</sup> Submissions Buddle [7]

<sup>17</sup> Submission Buddle [50]

- [48] In response to questions as to an absence of clarity, Mr Reeve commented that the relief could be amended such that a 40dB  $L_{A10}$  design level was provided for any external space to be utilised by future residents.
- [49] Ms Buddle identified that the initial processing activities associated with the McAlpines facility was established in 1964 and the facility warranted protected as a lawfully established activity. She conceded that the facility had not confirmed existing use rights.
- [50] Mr Reeve considered based on a 2013 Literature review by Kamp and Davies<sup>18</sup> and a 'dose response curve'<sup>19</sup> that *'a percentage of the PC29 population will be moderately, or highly annoyed by noise associated with the McAlpines sites at a 49dB  $L_{A10}$ '*<sup>20</sup>. He considered that whilst there were no specific studies in relation to the annoyance of elderly populations and industrial noise, he was of the view that the levels of annoyance that would occur without McAlpines proposed restrictions would be closer to 16% of the population as associated with dose annoyance studies associated with aircraft noise.
- [51] In response to questions Mr Reeve identified that passing road traffic noise would result in noise levels of some 50dB  $L_{A10}$  – 55dB  $L_{A10}$  received at the boundary with the subject site. He identified that a typical contemporary dwelling would provide a 10dB  $L_{A10}$  – 15dB  $L_{A10}$  level of acoustic attenuation to experienced external noise. He also conceded that the van Kamp I, Davies 2013 Literature review only identified eight (8) papers (out of a total review of 62) that related to all of life (4) or the elderly (4).

#### Local Residents

- [52] **Ms Tavui, Ms Shackleton and Mr Boyd and Ms Scott** identified they were not opposed to the development itself. They did express concerns in relation to the consequential increase of traffic and on-street parking demand on existing residents.
- [53] All requested that the eastern road connection to align with Rowse Street, with Ms Shackleton and Mr Boyd alternatively seeking alignment to the stormwater corridor located at 98 South Belt as shown on their submission.
- [54] Provisions were sought ensuring: that all staff parking be contained within the site given the local experience of congested on-street parking associated with use of Southbrook Park; and that Area A which facilitated higher buildings as notated on the ODP be moved further back from South Belt.

### 5.3 The Council

- [55] **Mr Rice** confirmed his assessment that the illustrated 'fixed' road connections on the proposed ODP were optimally located in terms of managing effects on the network associated with anticipated traffic generated from activities enabled by PC29. In response to questions he also confirmed that a detailed design safety audit of engineering plans is required by and certified by the Council in terms of any intersection design associated with any subsequent subdivision.
- [56] Mr Rice considered the only residual dispute with the Plan Change related to requirements associated with parking demand. His view, which as explained through questioning, was that any prospective 'Retirement Village' presented *'challenges'* in terms of allocating parking demand operative requirements under Table 30.8 Plan.

<sup>18</sup> Assumed to be van Kamp I, Davies H. Noise and health in vulnerable groups: A review. Noise Health 2013;15:153-9, but not referenced in the EIC of Mr Reeve.

<sup>19</sup> Also unreferenced but stated in response to questions to be Miedema and Oudshoorn (2001) annoyance curves for aircraft, road and rail noise.

<sup>20</sup> EIC Reeve[25]



Whilst a retirement village independent unit would be contained within the definition of 'Dwellinghouse', it was not clear whether 'Residential Care Homes<sup>21</sup>' as undefined in the Plan would apply to the suites and care facility beds.

[57] He agreed any prospective Retirement Village enabled by PC29 would likely be constructed in stages and that operative Rule 30.8.2 would therefore be triggered, allowing the Council to consider parking supply in relation to demand and generation<sup>22</sup>.

[58] Mr Rice agreed that the recommended rule as contained in the s42A report was aimed more at 'bridging' a potential lacuna in the operative plan when the NPS-UD requirements<sup>23</sup> result in the removal of parking minima, rather than addressing an issue associated with PC29.

[59] **Mr Simpson** helpfully responded to the matters raised in Minute 2. He identified that the key risk associated with inundation on neighbouring properties associated with pre or post development occurring on the PC29 site was related to an Ashley River breakout, with the occurrence risk dropping substantially where not associated with a 0.5%AEP event. He identified that based on the stormwater management identified in the PC29 ODP, that there would be potential benefits in terms of risks associated with inundation for a 2% AEP event on adjoining landowners as associated with a post-development scenario.

[60] **Ms Kealey** helpfully and concisely focused her response to matters of dispute raised during the Hearing.

[61] In terms of the Council's recommended provisions, she:

- a. reiterated the need to incorporate separate provisions distinguishing between a finished floor level 400mm above the 05%AEP event, and finished ground level for residential allotments.
- b. agreed that Rule 33.1.1 needed to be amended to incorporate reference to the esplanade reserve provision proffered in PC29 at Rule 33.1.7 in terms of integration of PC29 with the operative Plan.
- c. concurred with Mr Rice that the 'bridging' rule<sup>24</sup> in relation to assessing and providing parking demand remained necessary, as predicated on the likely consequences of the NPS-UD in removing parking minima in the operative plan. In response to questions she considered the recommended provision was sufficiently clear and concise to implement.
- d. reiterated the conclusions in her s42A report that the status of urban design controls to be introduced under PC29 for any prospective Retirement Village should be discretionary, with Council's discretion limited to the matters sought to be introduced in proposed Rule 31.2.2. She considered that the McAlpines sought assessment matter relating to reverse sensitivity could be added to those list of matters.

[62] Ms Kealey concurred with the response from Mr Simpson as to flood inundation risk, and advised that PC29, as amended, would be considered to give effect to CRPS Objective 11.2.1 and associated policies.

#### 5.4 Right of Reply

[63] Mr Minhinnick provided a focused verbal right of reply.

[64] In terms of flood risk, he identified that the Council and the Proponents agreed on the provisions. Potential inundation risk was acceptable in terms of giving effect to the respective provisions of the CRPS and District Plan

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<sup>21</sup> Introduced through Plan Change 40 (2016)

<sup>22</sup> Operative Rule 30.8.2(b)

<sup>23</sup> NPS-UD, clause 3.38 and timing clause 4.1

<sup>24</sup> Section 42A Report. [15.3]. Recommended Rule 30.6.1.35

and was appropriately managed through design and mitigation measures. He considered that a cross reference to the esplanade requirements in 33.1.1 was a consequential change to PC29.

- [65] He opposed the Council's recommended 'bridging' rule in relation to assessing and providing for parking demand. He noted that given the Council witnesses agreed that the operative provisions were appropriate, that that was where the requirements for s32 started and finished. The recommended parking mechanism put forward in the s42A report was the antithesis of the requirements of the NPS-UD in this respect, and also a more district wide response to the statutory directive to remove operative parking minima in the District Plan was within the control of the Council.
- [66] In relation reverse sensitivity raised within the McAlpines submission and evidence, Mr Minhinnick advised that the submitter had not established the initial threshold as to whether there was an issue that required a plan response within PC29. He noted that Mr Reeve identified a compliant 49dB  $L_{A10}$  sound level at the closest point within the PC29 to the McAlpines facility, which logically resulted in a lower level of noise received further within the PC29 site. He considered that the evidence posited by Mr Reeve did not establish a factual basis by which to justify further restraint in terms of acoustic design for any subsequent development facilitated by PC29, and the external design reference proffered by Mr Reeve of 40dB  $L_{A10}$  was at best arbitrary. He stated that McAlpines retained the ability to formally seek an existing use right certificate.
- [67] Lastly in terms of the more appropriate activity status relating to urban design controls, he stated that the Council Officer's had not established why a restricted discretionary status was the better approach.

## 6.0 Statutory Tests

[68] As confirmed by Mr Minhinnick, the general approach for the consideration of changes to district plans was initially summarised in the Environment Court's decision in *Long Bay*<sup>25</sup>, which has due to various amendments to the RMA been superseded by the *Colonial Vineyards* decision<sup>26</sup>. The relevant requirements in this case are set out below:

- (a) The plan change should be designed to accord with and assist the Council to carry out its functions under section 31 and to achieve the purpose of the Act (s74(1)(a) and (b)).
- (b) The plan change must give effect to any national policy statement, a national planning standard and the operative regional policy statement (s75(3)(a), (ba) and(c)).
- (c) The plan change shall have regard to the actual or potential effects on the environment of activities including, in particular, any adverse effects (s76(3)).
- (d) The plan change shall have regard to any relevant management plans and strategies under other Acts (s74(2)(b)(i)) and must take into account any relevant planning document recognised by an iwi authority and lodged with the territorial authority, to the extent that its content has a bearing on the resource management issues of the district (s74(2A)).
- (e) Finally, section 32 requires that rules are to implement the policies and are to be examined, having regard to their efficiency and effectiveness, as to whether they are the most appropriate method for achieving the objectives of the District Plan taking into account:
  - (i) the benefits and costs of the proposed policies and methods (including rules); and
  - (ii) the risk of acting or not acting if there is uncertain or insufficient information about the subject matter of the policies, rules, or other methods; and
  - (iii) if a national environmental standard applies and the proposed rule imposes a greater prohibition or restriction than that, then whether that greater prohibition or restriction is justified in the circumstances.

[69] Overall, the s32 test is one of appropriateness (i.e. not necessity) and the requirement is to achieve the objectives of the District Plan.

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<sup>25</sup> *Long Bay – Okura Great Park Society Inc v North Shore City Council* A 078/08

<sup>26</sup> *Colonial Vineyards Ltd v Marlborough District Council* [2014] NZEnvC 55

## 7.0 Assessment

### 7.1 Actual or Potential Effects on the Environment

[70] I considered the key effects associated with the PC29 can be broken down into five areas, being the urban form and capacity, infrastructure servicing (water, wastewater and stormwater / inundation), transportation and connectivity, reverse sensitivity and amenity effects associated with McAlpines operations, and urban design. These are addressed below.

#### Urban form and capacity

[71] Firstly, I note that the subject site is zoned Residential 4B in the operative Plan. Accordingly, it is considered an 'existing urban area' in terms of the application of Chapter 6 and Map A to the CRPS, where urban development and intensification is anticipated by the CRPS<sup>27</sup>.

[72] I accept Mr Smail's unchallenged evidence as to the forecast increase in aged population in the district<sup>28</sup> and consider that PC29 which would enable between 140 dwellings<sup>29</sup> to some 284 residential units and 119 living or care suites or beds<sup>30</sup> would provide housing capacity. The rezoning would allow for increased residential density and supply in the district as well as enable increased housing choice in an area that is logically connected to the existing built up residential area.

[73] As narrowed to a consideration of increasing opportunities for residential intensification and residential land supply in the district, I conclude the PC29 assists in terms of the district providing for well-functioning urban environments, supporting a competitive land market, and responding to the diverse and changing needs of its community and future generations.

[74] Accordingly, submissions which support the plan change on the basis of increasing residential supply and diversity (#3 McManus, #7 Pearson) are **accepted**.

[75] That part of the submission from Mr Wilson (#5) which seeks a minimum lot size of 600m<sup>2</sup> is **rejected**.

#### Infrastructure, Servicing and Flood risk

[76] The proposed residential development to be enabled by PC29 will require services including internal roading, stormwater management, potable water supply and wastewater collection and disposal.

[77] There was no dispute between Council Officer's and the material contained in the PC29 application as to the feasibility of providing **water and wastewater services** to support anticipated residential demand facilitated by the Plan Change<sup>31</sup>.

[78] In terms of the submission from FENZ (#12) their submission is **rejected**. I do not consider the inclusion of additional provisions as sought by FENZ would meet the s32 test of efficiency and effectiveness and I consider the risk of not including them is limited give the existing provisions in the District Plan<sup>32</sup> and the Council's Engineering Code of Practice (updated July 2020).

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<sup>27</sup> Objective 6.2.1(3), Policy 6.3.1(4).

<sup>28</sup> EiC Smail. Section 5. Increase in the over 75 age bracket from 5,500(2020) to 14,610 (2043).

<sup>29</sup> Anticipated under an orthodox Residential 2 zone yield

<sup>30</sup> Anticipated under enabling provisions associated with a Retirement Village.

<sup>31</sup> S42A. Kealey [12.3.1]

<sup>32</sup> Rule 32.1.3(viii)

- [79] The proposed **stormwater** is to be managed by a combination of sumps, pipelines and pre-treatment devices<sup>33</sup>, to discharge to two wet ponds as identified in the ODP. The wet ponds are understood to be sized to treat first flush<sup>34</sup>, and discharge stormwater at, or less than predevelopment flows to South Brook based on a 2%AEP<sup>35</sup>. It is understood that that approach is acceptable to Council, with issues associated with the vesting of wet ponds to be determined at time of subdivision. Mr Simpson advised that the extent of stormwater management proposed with PC29 would likely reduce inundation frequency for adjoining properties, which I consider to represent a positive effect associated with the Plan Change.
- [80] Both Ms Styles and Ms Kealey agreed that the **frequency and extent of flood risk** as compared between a pre and post development scenario associated with PC29 was acceptable, with resultant effects considered to be less than minor. In response to questions associated with any potential increase in flood frequency on the dwelling located at 84 Townsend Road adjoining the site for events less than a 0.5%AEP event, Mr Simpson considered as above, that the subsequent development would likely result in benefits for a 2% AEP, and that the modelling and assumptions associated with a 1% AEP would also not likely yield any material increased flooding risk post development on adjoining properties. Accordingly, I consider these effects to be less than minor.

### Transportation and connectivity

- [81] The **cycling, pedestrian and esplanade reserve** requirements as identified in the ODP were universally supported. They would result in positive environmental effects in terms of modal choice, connectivity and health and wellbeing. Accordingly, the relevant parts of the following submissions are **accepted** (#1 Morris, #9 Gilmore).
- [82] Both Ms Styles and Ms Kealey agreed that the following insertion would improve integration with the proposed esplanade reserve provision and ODP with the operative plan provisions.
- 33.1.1 *Except where provided by Rules 33.1.2, 33.1.5 and 33.1.6 an esplanade reserve or esplanade strip shall be created or set aside for any allotment which is created on subdivision regardless of the size of the allotment created where any part of the land to be subdivided in any zone:*
- a) *adjoins or is crossed by a river listed in Table 33.1; or*
- b) *adjoins the coastal marine area boundary, **or***
- c) as required by Rule 33.1.7.**
- [83] There appeared to be no dispute between the parties that the surrounding **transport network had capacity** to accommodate vehicles generated from development associated with PC29 Were a Retirement Village formed, rather than an orthodox Residential 2 yield, such would likely 'lower the curve' as associated with peak am and pm commuting times associated with such development.
- [84] The locations of **'fixed' road connections** to the wider network were heavily disputed.
- [85] I agree with Mr Rice that the provision of a road connection to Townsend Road should be discouraged given the higher speed environment on Townsend Road. This aspect of Ms Scott's submission (#19) is rejected.
- [86] In terms of the requests by the Tavui's (#4), Shackleton and Boyd (#6) and Scott (#10) to amend the fixed road access points in the ODP to align with Pentecost Road, Rowse Street or the green corridor at 98 South Belt, I consider the following:

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<sup>33</sup> As subject to management through subsequent subdivision and Council's Engineering Code of Practice

<sup>34</sup> PC29 Application. Appendix 6- Civil Engineering Report [4.3.2]

<sup>35</sup> S42A Report. Appendix 1. Stevenson [8]

- a. the submitters concerns as expressed relate to potential safety and congestion issues associated with existing residents exiting their properties, particularly those with shared access;
- b. the evidence produced by Mr Georgeson and agreed to by Mr Rice identify that traffic generation facilitated by PC29 would be in the order of 1,123vpd to 1,260vpd over that anticipated from the current zoning<sup>36</sup>. This equates to no more than an addition of 52vph two way beyond the immediate site surrounds, or less than one vehicle every minute<sup>37</sup>;
- c. alignment of access opposite Pentecost Road and Rowse Street would be inconsistent with Council Engineering Code of Practice not to create cross road intersections where local access roads intersect with main roads<sup>38</sup>;
- d. the proposed 'fixed' access points best conform with the Austroads Standard separation distances for intersections; and
- e. whilst a roundabout at a new intersection at Rowse Street could provide improved access compared to a simple tee intersection<sup>39</sup>, this cannot be justified in terms of the traffic volumes generated from the proposed plan change, nor the associated economic costs of establishing such.

[87] Accordingly, I consider that the proposed fixed road connections to South Belt are the most appropriate, taking into consideration their efficiency (costs in terms of provision) and effectiveness (ensuring appropriate levels of safety, access and network capacity to accommodate demand). Accordingly, the respective submissions seeking alternatives as above are **rejected**.

[88] **Parking demand** was also a subject of dispute. The Tavui's (#4), Shackleton and Boyd (#6), Scott (#10) and a neutral submission from WDC (#2) all sought additional controls to ensure all parking demand was met on-site with no off-site parking on South Belt, particularly for staff associated with any Retirement Village.

[89] Firstly, I note that on-street parking is a community resource that cannot be allocated to any one party, or adjoining property owner. However, it is recognised that where there is a frequent and substantial overflow of on-street parking this can result in both residential amenity and potential transport safety effects for adjoining residents.

[90] Secondly, as acknowledged by both experts for the Proponent<sup>40</sup> and for the Council<sup>41</sup>, the current operative plan provisions are appropriately set. I also note that these have been through a recent community wide process<sup>42</sup> and therefore are considered to provide an appropriate balance between the requirements for on-site parking demand and supply associated with development in the district.

[91] The rationale as I understand it for both Mr Rice and Ms Kealey to seek to introduce an additional parking demand rule was to address the likely consequences of the imposition of the new NPS-UD. Clause 3.3.8 of the NPS directs that all territorial authorities remove provisions that have the effect of requiring a minimum number of car parks to be provided for a particular development, land use or activity.

[92] Stepping this through in turn:

- a. Ms Kealey recommends the insertion of the following as a Discretionary Activity (restricted)<sup>43</sup>:

*30.6.1.35 A retirement village, in the Residential 2 zone subject to South Belt Outline Development Plan as shown on District Plan Map 184 shall provide:*

<sup>36</sup> PC29 Application. Appendix 10 – Transport Assessment [Tables 7-1 and 7-2]

<sup>37</sup> PC29 Application. Appendix 10 – Transport Assessment [8.1]

<sup>38</sup> Engineering Code of Practice Part 8: Roading 8.8.2

<sup>39</sup> S42A Rice [25]

<sup>40</sup> Ms Styles and Mr Georgeson

<sup>41</sup> Mr Rice and Ms Kealey

<sup>42</sup> Plan Change 40 'Parking' (2016)

<sup>43</sup> Reference Rule 30.8.1

- a) An assessment of total parking demand associated with similar retirement complexes. This will include parking demand that is met both on site and on road at similar activities. The methodology used in the assessment to be agreed by Council.
- b) The provision of adequate parking on site to fully meet the assessed demand

b. The NPS at clause 3.38 Car parking directs:

*3.38 Car parking*

- (1) If the district plan of a tier 1, 2, or 3 territorial authority contains **objectives, policies, rules, or assessment criteria** that **have the effect of requiring a minimum number of car parks** to be provided for a particular development, land use, or activity, the territorial authority **must change its district plan to remove that effect**, other than in respect of accessible car parks.
- (2) Territorial authorities must make any changes required by subclause (1) **without using a process in Schedule 1 of the Act**.
- (3) Nothing in this National Policy Statement prevents a district plan including objectives, policies, rules, or assessment criteria:
  - a) requiring a minimum number of accessible car parks to be provided for any activity; or
  - b) relating to parking dimensions or manoeuvring standards to apply if:
    - (i) a developer chooses to supply car parks; or
    - (ii) when accessible car parks are required

*(emphasis added)*

c. The NPS at Part 4 – Clause 4.1‘Timeframes for Implementation’:

- (1) Every tier 1, 2, and 3 local authority must amend its regional policy statement or district plan to give effect to the provisions of this National Policy Statement as soon as practicable.
- (2) In addition, local authorities must comply with specific policies of this National Policy Statement in accordance with the following table:

Tiers 1, 2 and 3	Carparking	Policy 11(a) (see clause 3.3.8)	Not later than 18 months after commencement date.
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[93] The consequences of the NPS-UD, as relevant to the consideration of PC29 is as follows:

- a. The proposed rule sought by Council Officers is effectively a parking minima provision. Clause 3.38(1) requires the removal of provisions in the District Plan that have the statutory effect of requiring a minimum number of car parks (excluding accessible parks).
- b. Accordingly, I consider that the Council's relief is inconsistent with the statutory direction provided by Clause 3.38.
- c. Even were such a provision necessary to manage the effects of parking demand associated with activity facilitated by PC29, the legal effect of Clause 4.1(1) inhibits the ability of the Council to introduce such a provision through this (or any other) Plan Change.

- [94] In terms of my requirements for assessing the Plan Change<sup>44</sup>, the plan change shall have regard to any actual or potential effects on the environment of activities, including any adverse effects ((s75(3)(a), (ba) and(c)), and a consideration of rules, to implement the policies and to be examined, having regard to their efficiency and effectiveness. The test for the inclusion of additional provisions must be against the operative framework, and whether there are existing provisions that adequately address effects without the need to introduce further (unnecessary) regulation.
- [95] For parking demand, I consider that adverse effects associated with parking demand facilitated by PC29 are appropriately managed by the operative parking requirements of the plan, as was confirmed by the respective expert witnesses for the Council and the Proponent. I concur with Mr Georgeson that development facilitated by PC29 would be logically categorised between 'Dwellinghouse' and 'Residential Care Homes' contained within Table 30.8.
- [96] The operative provisions represent the most efficient and effective means to manage effects from parking demand. As appropriately acknowledged by both Mr Rice and Ms Kealey, the proposed s42A Rule as a 'bridging' device simply overlaps these existing provisions, and hence in my view cannot be stated to be either efficient or effective.
- [97] The NPS-UD potentially provides a lacuna in the District Plan as to managing parking demand from development at the district level before or as of 20 February 2022<sup>45</sup>. It is considered more appropriate that the Council seek to determine and provide a statutory response at the district level, rather than an isolated rule spatially applicable only to development facilitated by PC29<sup>46</sup>. It would also be inappropriate for me to undertake a s32 analysis against a future (and unknown) district plan framework, where the District Council has provided a more systemic response to the requirements of the NPS-UD. Accordingly, those submissions seeking additional parking controls are **rejected**.

### **Amenity and Reverse Sensitivity associated with McAlpines operations**

- [98] I acknowledge McAlpines is a significant local employer and contributes to the economy. The companies awareness of the potential of nuisance effects associated with proximate sensitive activities<sup>47</sup> is also recognised.
- [99] The relief sought in the McAlpines submission (#11) is to impose additional restraints on PC29 as notified. Those restraints are to manage external design as subject to a restricted discretionary consenting regime to require potential noise levels received from McAlpines operations<sup>48</sup> to achieve a 40dBA L<sub>10</sub> maximum<sup>49</sup>.
- [100] As raised in a series of questions with Ms Buddle, in considering the McAlpines relief, there is a need for the evidence considered to establish:
- a. is there an actual or potential issue to be addressed by the rule sought<sup>50</sup>,
- and if that threshold is reached;
- b. are the plan provisions put forward the most appropriate, having regard to their efficiency and effectiveness?
- [101] Ms Buddle agreed that the community expectation of noise levels and resultant amenity is set through the District Plan. For development facilitated by PC29, the threshold for daytime noise level received is set at 50dBA L<sub>10</sub>.

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<sup>44</sup> As set out in [[68]

<sup>45</sup> NPS-UD Clause 4.1

<sup>46</sup> It is noted that unhelpfully that neither the NPS-UD nor Introductory Guide provides any clarity as to the meaning of a 'comprehensive parking management plan' for the purpose of NPS-UD Policy 11(b).

<sup>47</sup> EIC Duncan [35]

<sup>48</sup> EIC. Reeve [26-28]

<sup>49</sup> Reeve. Response to questions.

<sup>50</sup> Section 76(3) RMA



Given Mr Reeve has calculated receipt of 49dBA L<sub>10</sub> at the nearest interface towards where the McAlpines facility is located in Southbrook, Ms Buddle conceded that amenity effects were not a relevant concern associated with residential development facilitated by PC29.

[102] In terms of the actual or potential for reverse sensitivity effects associated with activities facilitated by PC29 on the McAlpines operations Ms Buddle helpfully set out the definition for 'reverse sensitivity' used in case law within her submissions<sup>51</sup>. In broad terms, I understand that the following consequential matters would need to occur before reverse sensitivity effects on McAlpines operations became a relevant issue:

- a. New (sensitive) activities are introduced into an environment with an established activity;
- b. lawfully established operations from the existing activity give rise (through non-internalised effects such as noise, glare, dust etc) to concerns or complaints from the introduced sensitive activity(ies); potentially resulting in:
- c. restrictions being placed on the established activity

[103] On the evidence received, I am not persuaded that the evidence of McAlpines shows that the threshold by which to justify there is an issue to be addressed has been achieved. I reach that conclusion based on the following:

- a. the District Plan contains operative provisions relating to noise and glare. From the evidence of Mr Reeve it would appear that these, at least in relation to noise, are being achieved at the interface with PC29 site.
- b. The material provided by Mr Reeve is:
  - i. highly dependent on research that does not appear to have a direct bearing, it relates to strategic infrastructure (road, rail and airport noise) rather than noise generated from industrial operations.
  - ii. the WHO Environmental Noise Guidelines for the European Region (2018) which Mr Reeve relies on to establish annoyance levels of between 8% (road traffic noise) to 16% (airport noise) is heavily weighted to include sleep disturbance. Sleep disturbance is not a factor given: the McAlpines sawmill operations only operate during daylight hours<sup>52</sup>, and Mr Reeve agreed that a typical residential dwelling with windows open would provide acoustic attenuation of some 15-17dB.
  - iii. As also acknowledged by Mr Reeve direct application to 'vulnerable communities' is not evident within the research identified.
- c. Mr Duncan advises in evidence that '*there has never been a noise complaint about noise levels emanating from the sites that we operate*'<sup>53</sup>, where there are more proximate residential activities located on Coronation Street.

[104] Whilst PC29 will introduce more intensive residential development<sup>54</sup> into this environment, facilitated residential development is appropriately managed (through existing standards and distance) such that there is an appropriate management regime to manage the effects between incompatible activities. I consider that the evidence of McAlpines falls well short of establishing a rational issue that would justify additional reverse sensitivity protections to be introduced. Accordingly, the submission from McAlpines (#11) is rejected.

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<sup>51</sup> Submissions. Buddle [38 and 39] reference to *Winstone Aggregates vs Matata-Piako District Council (2004) 11 ELRNZ [4]*

<sup>52</sup> Corporate Evidence. Duncan [23]

<sup>53</sup> EIC Duncan [33]

<sup>54</sup> The site is zoned Residential 4B

- [105] To round this matter out in terms of any subsequent consideration of the efficiency and effectiveness of any associated provision I note:
- a. that inserting provisions relating to reverse sensitivity as sought by Ms Buddle involves picking winners. Specifically, by affording protection to one activity from others, those other activities bear a cost in terms of restriction and constraint on development opportunity. McAlpines has not demonstrated through evidence the costs associated with their relief.
  - b. a 40dBA L<sub>10</sub> standard to be met for external spaces as put forward by Mr Reeve appears to be arbitrary, with no explanation as to how such an imposition would either be efficient or effective. That requirement would also appear to be more stringent than ambient vehicle noise received from South Belt.
  - c. there is no analysis provided as to why such a provision should apply across the entirety of the PC29 site which extends some 1000m from McAlpines operations at its furthest point.

### Urban Design and visual effects

- [106] Typical Residential 2 zone development facilitated by PC29 is subject to operative bulk and location provisions<sup>55</sup>. For a Retirement Village development, additional controls are proposed, relating to structure coverage, height limits within Area A and B as identified in the ODP, and a range of urban design matters.
- [107] Submissions from the Tavui's(#4) and Shackleton and Boyd (#6) objected to the location of Areas A and B as identified on the ODP. Whilst not objecting to rules associated with establishing maximum permitted heights (18m and 10.5m respectively), the concerns related to potential visual dominance when viewed from South Belt. Both submitters sought that the notation (and provision) for these areas should be moved further back into the site.
- [108] As associated with the development of a Retirement Village, these 'Areas' would facilitate an agglomerated building(s) containing village amenities, suites and care facility beds. Mr Smail identified that the location of these areas was predicated on being centralised in terms of resident access to shared village amenities and that the building would be viewed from public vantage points within the wider context of the surrounding (and lower scale village)<sup>56</sup>.
- [109] Mr Bentley identified in response to questions, that any building facilitated by Areas A and B as identified on the ODP in conjunction with permitted height limits would not be prominent within the wider context of built form enabled under PC29, and would largely be obscured from views from South Belt. Based on the montages provided by Mr Bentley I agree. In conjunction with the rationale provided by Mr Smail as the benefits of centralising the shared amenity building, and in the absence of any demonstrable material adverse effects on residential and character, I consider that the submissions above are **rejected**.
- [110] Lastly, Ms Shackleton raised an issue as to whether the metric explicitly identified in the notified ODP, which requires Area A to be set back 71.57m from South Belt, could be relied on. This matter was not picked up in the reply from the Proponents Team. I consider that given the precision shown, there would be little opportunity for a substantial deviation from the setback identified in the ODP.
- [111] The Council (#2) sought that the controlled activity status ascribed to the design and appearance provision<sup>57</sup> associated with any Retirement Village should be amended to a restricted discretionary activity (**RDA**) status. No party sought amendments to the matters of control<sup>58</sup>.

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<sup>55</sup> For example: Height Rule 31.1.1.24 and Structure Coverage Rule 31.1.1.10.

<sup>56</sup> Corporate Evidence. Smail 6.2(e)

<sup>57</sup> PC29 as notified. Rule 31.2.2

<sup>58</sup> Excluding McAlpines (#11) as above.

- [112] Ms Kealey clearly explained in her s42A Report the rationale for seeking an RDA status<sup>59</sup>. She acknowledged that fundamentally, the ability of Council to notify or decline an application which was considered to produce material adverse design and amenity effects was the main reason for seeking an RDA status.
- [113] Ms Styles in contrast explained that the Council retained an appropriate level of control via a controlled activity status. In terms of effectiveness an appropriate residential character and amenity would be achieved given the hierarchy of relevant provisions, and that in terms of s32 a controlled activity status was also superior in terms of efficiency – reducing both cost and increasing developer certainty.
- [114] In terms of the hierarchy of provisions, Ms Styles identified that appropriate residential character and amenity would be achieved, through the following:
- a. Primarily, the application of a Residential 2 zoning to the PC29 site;
  - b. Secondly, the application of operative provisions as these relate to built form, bulk and location, and coverage associated with subsequent residential development;
  - c. thirdly application of a specific Outline Development Plan; and
  - d. lastly an additional layer of design and amenity controls as applicable to a retirement village which can be roughly grouped as follows:
    - i. integration of development with surrounding neighbourhood connections;
    - ii. the extent of landscaping;
    - iii. engagement and connectivity with adjacent streets and public open spaces; and
    - iv. use of visual quality and variety in building design and layout, including through orientation and separation of buildings.
- [115] Overall, I consider that a Controlled activity status is the most appropriate, having regard to the effectiveness and efficiency of that status in terms of sections 77A and 77B of the RMA. As outlined by Ms Styles, I agree that the suite of provisions taken as a whole ensures an appropriate level of residential amenity and character can be advanced as facilitated under PC29 and therefore a controlled activity status in this respect is *effective*. In terms of *efficiency*, a controlled activity status has clear benefits in terms of reducing both administration costs and increases development certainty. Accordingly, I consider that the Council submission in this respect be **rejected**.

## 7.2 National policy statements and national planning standards

- [116] Section 74(1)(ea) of the RMA states that a change to a district plan must be done in accordance with a national policy statement, a New Zealand coastal policy statement, and a national planning standard. In addition, ss75(3)(a) to (ba) of the RMA require the District Plan to give effect to those instruments.

### National Policy Statement for Freshwater Management 2020

- [117] The National Policy Statement for Freshwater Management 2020 came into effect on the 3 September 2020 and I am bound to consider it. Having reviewed the objective and policies I do not consider there is anything specifically in them that PC29 does not give effect to. That is not to say however that matters associated with the NPS might not arise in any subsequent consenting process when details of the discharge regimes in particular are developed.

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<sup>59</sup> S42A Kealey [13.2.3]

## National Policy Statement for Urban Development 2020

- [118] The National Policy Statement for Urban Development came into effect on 20 July 2020. The specific implications as these relate to contested matters associated with the directive in Clause 3.38 and implementation in Clause 4.1 is addressed above. The corresponding **Policy 11(a)** requires that territorial authorities do not set minimum car parking rate requirements – as identified above, those submissions seeking additional parking requirements would not give effect to this very clear direction.
- [119] As identified in [74], PC29 contributes to the District Plan providing for well-functioning urban environments, supporting a competitive land market, and responding to the diverse and changing needs of its community and future generations. In this respect the Plan Change gives effect to **Objective 1, 2 and 6** of this NPS. The effects of climate change have been incorporated into flood water modelling as associated with a post-development scenario (**Objective 8**) and there is agreement between both three waters and transport engineers that the subject site is appropriately integrated with supporting infrastructure (**Objective 6**),
- [120] Lastly, in terms of amenity controls, and particularly the activity status associated with design and amenity controls for any subsequent Retirement Village, the package of controls is considered to achieve **Objective 4** which states in full:
- “New Zealand’s urban environments, including their amenity values, develop and change over time in response to the diverse and changing needs of people, communities, and future generations”.*
- [121] No other national policy statements are relevant in my view.

## National environmental standards and other regulations

- [122] Section 74(1)(f) of the RMA states that a change to a district plan must be done in accordance with any regulations.
- [123] The National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health (2011) (**NES-CS**) is relevant. The PC29 Request included a Preliminary and Detailed Site Investigation<sup>60</sup>. That report identified concentrations greater than background levels from a number of investigative soil samples, with only one instance of concentrations greater than human health levels for residential use. The report then identifies that subsequent NES-CS consent will be necessary, as triggered through any subsequent resource to develop the site. The extent of remediation is not onerous and would not result in the higher residential density as facilitated by PC29 as being inappropriate.
- [124] Accordingly, such compliance with the NES-CS will also be a matter for detailed consideration as part of any future subdivision or land disturbance application.
- [125] The National Planning Standards released on 5 April 2019 focus on the format and consistency of plan provisions. The WDC has until 2024 to implement them. PC29 seeks to insert the definition of ‘Retirement Village’ as contained in the National Planning Standards, and I am otherwise satisfied that as far as practicable at this time PC29 is consistent with the National Planning Standards.
- [126] No other relevant national environmental standards or regulations were brought to my attention.

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<sup>60</sup> PC29 Request. Technical Report 9. Riley.

## Canterbury Regional Policy Statement

- [127] Section 75(3)(c) of the RMA requires a district plan to give effect to a regional policy statement.
- [128] The Canterbury Regional Policy Statement (CRPS) was assessed in the Initial Request and the Officers Report. I have addressed the relevant urban growth provisions of the CRPS in [71] of this Decision Report. Those provisions weigh in favour of approving PC29, as does the intensification targets established in **Objective 6.2.2(1) and (2)**.
- [129] The proposal would enable a higher density of residential density than the current zoning. Given the infrastructure evidence provided, such an outcome furthers those provisions of the CRPS seeking the efficient and effective integration of infrastructure to support land use<sup>61</sup> and optimising the use of existing infrastructure<sup>62</sup>.
- [130] The CRPS also has relevant provisions relating to biodiversity, landscape, natural character, soils and natural hazards.
- [131] It is considered that the provision of the esplanade reserve adjoining Southbrook Stream will provide modest opportunities for enhancement to access<sup>63</sup>, biodiversity<sup>64</sup> and natural character<sup>65</sup>. Stormwater to be treated within the site to manage contaminants entering Southbrook Stream.
- [132] In terms of soils, it is considered that earthworks and associated development can be managed to remediate existing, albeit modest levels of contamination.
- [133] Lastly, in terms of natural hazards based on the Flooding report contained in the PC29 Request<sup>66</sup>, and as assisted by Mr Simpson, I consider that the Plan Change gives effect to Objective 11.2.1 and Policy 11.3.2 in terms of the requirement for any new subdivision, use and development to avoid areas subject to inundation by a 0.5%AEP flood event, and not result in a displacement of hazard risk onto adjoining properties.

## Land and Water Regional Plan

- [134] Section 75(4)(b) of the RMA states that a district plan must not be inconsistent with a regional plan for any matter specified in s30(1) relating to the functions of regional councils.
- [135] I do not consider the PC29 is inconsistent with the Land and Water Regional Plan, however future subdivision may well generate the need for consents under this plan.

## Other Relevant Documents

- [136] The other relevant planning documents to be considered in evaluating PC29 under section 74A(2)(b) include:
- (i) Mahaanui Iwi Management Plan 2013
  - (ii) Waimakariri 2048 District Development Strategy 2018

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<sup>61</sup> Objective 6.2.1(9)

<sup>62</sup> Objective 6.2.1(11), Policy 6.3.5(2)

<sup>63</sup> Objective 10.2.4

<sup>64</sup> Objective 9.2.2, Policy 7.3.3(2)

<sup>65</sup> Policy 7.3.1.

<sup>66</sup> PC29 Technical Report 7. Flooding.

### *Mahaanui Iwi Management Plan 2013*

- [137] The application documentation included an assessment of the Mahaanui Iwi Management Plan (IMP) at Section 6.4.1. That assessment concludes that PC29 is consistent with the objectives and policies of the IMP and that there are no specific areas of cultural value identified on the site. I therefore consider that PC29 will not compromise the values set out in the IMP.

### *Waimakariri 2048 District Development Strategy 2018*

- [138] Surprisingly, there were no references to this document in the application or S42A Report. Regardless, I consider it both relevant and supportive of the outcomes envisaged through PC29.

Page 19 states:

*The identified development types and land requirements have taken into account demographic changes such as an aging population and changing housing needs as well as opportunities for intensification within the District's main towns. Housing demand will change over time and therefore enabling diversity in appropriate locations is important. Intensification areas will need to be carefully located to achieve efficiency and support retention of special heritage and character features.(19)*

Strategic Aim 2.4 seeks: *consolidated and integrated urban growth that provides housing choice.*

## **7.3 Section 32 Analysis**

### **Proposed Amendments**

- [139] The proposed amendments to the District Plan are identified in [28].

#### *The Outline Development Plan*

- [140] Having reviewed the revised ODP presented at the hearing I consider it addresses all the necessary matters and the associated 'generally comply' rule is consistent with other ODP's contained within the District Plan<sup>67</sup>.

#### *Planning Map*

- [141] I consider the alteration to the Planning Map(s) would be simply a function of the rezoning.

#### *Objectives and Policies*

- [142] PC29 does not propose any alterations to the objectives and policies in the District Plan. It is therefore incumbent on me to determine whether the proposed rezoning, and associated provisions as applicable to the formation of a Retirement Village is the most appropriate means of achieving the relevant objectives of the District Plan and whether it implements the policies having regard to their efficiency and effectiveness and taking into account the benefits and costs and the risks of acting or not acting.
- [143] Ms Kealey has provided a concise summary of the relevant Objectives and Policies at section 10 of her report. I agree with and have adopted that synopsis subject to Section 113(3)(a)(ii) of the RMA. I conclude that:
- a. The respective rules, as modified through this decision appropriately implement the respective policies<sup>68</sup>;
  - b. The provisions (the suite of introduced and operative rules, and operative policies) are the most appropriate to achieve the objectives<sup>69</sup>.

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<sup>67</sup> Operative Rule 32.1.1.28

<sup>68</sup> Section 75(1)(c)

<sup>69</sup> Section 32(1)(b)

### *Benefits and Costs*

- [144] I accept that the PC29 provides for a greater density of development and that there are inherent benefits in such an approach in terms of efficiency of land use, greater connectivity and sense of community, increased housing choice and greater support for wider community facilities and business services.
- [145] The costs appear to be limited. They relate to those experienced by the applicant in pursuing the plan change, and appropriate development costs associated with land development and processing of resource consents to enable subdivision and land use. There may be social costs experienced by neighbouring property owners as associated with an increased density of residential development and associated character, as well as the potential for some on-street vehicle parking associated with development. These costs are modest, and appropriately managed by the controls proposed.

### *Risk of Acting or Not Acting*

- [146] I am satisfied that there is sufficient information, that the risks associated with acting or not acting have been identified<sup>70</sup>.

### *Conclusion*

- [147] I consider that overall PC29 is efficient and effective and contains benefits, particularly in terms of providing for denser development, integration, connectivity and increased housing density and capacity on existing zoned urban land. On this basis I consider the plan change will implement the policies of the District Plan and is appropriate in achieving its objectives. Therefore, having reviewed the relevant objectives and policies and considered the benefits, costs and risks I am of the view that PC29 is the most appropriate means of achieving the objectives.

## **7.4 Section 31**

- [148] I consider that in terms of servicing and consolidation of urban development, PC29 will achieve integrated management of effects and will enable additional residential development capacity and housing choice in a manner that can be achieved without creating any significant actual or potential effects on the environment.

## **7.5 Part 2 Matters**

- [149] Under s74(1)(b) the Council must prepare a district plan in accordance with the provisions of Part 2 of the RMA. Part 2 matters were briefly addressed in the Initial Request<sup>71</sup>. I do not disagree with that assessment and find that PPC36 does not offend any Part 2 provisions to an extent that would lead to me declining it.
- [150] Overall, I consider the objectives of the District Plan will be achieved as a result of the changes proposed as part of PC29. I have evaluated the rezoning as being the most appropriate, in terms of its effectiveness and efficiency, and the benefits that it achieves verses the costs imposed. I have therefore gone onto consider the matters contained in Part 2 of the Act.

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<sup>70</sup> Section 32(2)(c)

<sup>71</sup> PC29 Request. Section 5.1.3

## Section 6

- [151] Section 6 of the Act relates to matters of national importance. I accept that that the Plan Change would provide benefits in terms of the preservation of the natural character<sup>72</sup> of South Brook as it adjoins the site, and would enhance public access along its margins<sup>73</sup>.

## Section 7

- [152] Section 7 of the Act sets out other matters I am to have particular regard to. Of particular relevance are section 7(b) concerning the efficient use and development of natural and physical resources; section 7(c) relating to the maintenance and enhancement of amenity values and section 7(f) in terms of the maintenance and enhancement of the quality of the environment.
- [153] While I acknowledge the concerns expressed by Ms Kealey as to whether the controlled activity status for design and amenity associated with the establishment of a Retirement Village would ensure sufficient control to maintain and enhance amenity value, I have concluded that these provisions are appropriately set.
- [154] I consider the PC29 represents a more efficient use of the land resource given its current zoning and low-density anticipated built form.

## Section 8

- [155] Section 8 of the Act requires that the principles of the Treaty of Waitangi (Te Tiriti o Waitangi) be taken into account. I accept that there are no explicit section 8 matters at play in this case.

## Section 5

- [156] The ultimate purpose of the plan change is to achieve the purpose of the Act as defined in section 5. In the case of a plan change that purpose is usually subsumed in the greater detail and breadth of the operative objectives and policies which are not sought to be changed. That is the situation as associated with PC29.
- [157] I therefore considered for the reasons set out above that PC29 is appropriate in terms of the s32 tests and meets the purpose and principles set out in Part 2 of the Act in promoting sustainable management. Specifically, it will enable people and communities to provide for their economic and cultural wellbeing by providing greater residential capacity and housing choice within Rangiora. Overall, I consider PC29 promotes sustainable management in meeting the purpose of the Act.

## 7.6 Amendments to Plan Change 29

- [158] There are two provisions that are amended. These are: the insertion of Rule 33.1.1(c) to ensure an integrated cross-reference with the operative plan provisions to the provision of Esplanade Reserve as identified in proposed Rule 33.1.7; insertion of Rule 27.1.1.33 in relation to finished floor levels for dwellinghouses established in the ODP on District Plan Map 184. Both these matters were agreed by both Ms Styles and Ms Kealey at the Hearing as being appropriate.
- [159] Section 32AA of the RMA requires a further evaluation of any changes that are made to a proposal after the initial section 32 report has been completed. The further evaluation may be the subject of a separate report, or referred to in the decision-making record.<sup>74</sup> Clause 10 of Schedule 1 to the RMA directs that the Council's decision on submissions on a plan is to include such further evaluation, to which it is to have particular regard when making

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<sup>72</sup> Section 6(a)

<sup>73</sup> Section 6(b)

<sup>74</sup> RMA, s 32AA(1)(d) and (2).



its decision.<sup>75</sup> This Decision Report (including its appendices) will form part of the Council's decision-making record.

- [160] The reasons for these amendments are set out in the Decision. The amendments are not substantive, but for the avoidance of doubt, they are practicable, and are effective and efficient in terms of providing appropriate certainty in the plan provisions as to ensuring subsequent development is appropriately designed and implemented. They have no appreciable implications in terms of economic growth or employment.

## 8.0 Decision

- [161] Pursuant to the powers delegated to me by the Waimakariri District Council the decisions made on submissions to Private Plan Change 29 – Summerset Villages (Rangiora) Limited are set out in **Attachment 1** of this Decision.
- [162] Pursuant to clause 29(4)(a) of Part 2 to Schedule 1 of the RMA the Plan Change 29 – Summerset Villages (Rangiora) Limited is approved with modifications as set out in **Attachment 2** of this Decision.



Commissioner Matt Bonis

9 October 2020

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<sup>75</sup> RMA, Schedule 1, cl 10(4)(aaa).

## Decisions Made on Submissions

Sub no.	Submitter name	Support /Oppose / Neutral	Relief sought	Reasons	Recommended Decision
1	Jack Morris	Support	<ul style="list-style-type: none"> <li>• Approve the Plan Change</li> </ul>	<ul style="list-style-type: none"> <li>• The proposed plan change will improve the recreational facilities for local residents.</li> <li>• The proposed plan change will improve traffic safety in the area.</li> <li>• The aesthetics of the whole Southbrook Park reserve can be greatly enhanced by the proposed plan change.</li> <li>• The proposed plan change has and will provide superb connection to the existing Rangiora -Kaiapoi cycle-way.</li> </ul>	Accept
2	WDC	Neutral	<ul style="list-style-type: none"> <li>• Delete Rule 31.2 (and 31.2.2)</li> <li>• Amend Rule 31.1 (and 31.3.8) and Include a provision in Table 30.8 for Retirement Villages.</li> </ul>	<ul style="list-style-type: none"> <li>• A minimum controlled activity status for a retirement village is not considered an effective method to achieve the objectives of the district plan.</li> <li>• If a future decision maker considered the matters of control did not avoid, remedy or mitigate a potential or actual adverse effect the decision maker would be unable to address these matters.</li> <li>• It would be a more efficient and effective process to identify a required ratio for car parking in a retirement village.</li> <li>• Depending on which ratio is used from the current Table 30.8 of the District Plan it could result in an under or over supply.</li> </ul>	Reject  Reject
3	Andy McManus – Nor West Contracting Limited	Support	<ul style="list-style-type: none"> <li>• Approve the Plan Change</li> </ul>	<ul style="list-style-type: none"> <li>• The proposed plan change will assist in curbing the lack of housing and residential care facilities available throughout the district.</li> <li>• The selected land is surrounded by previously developed land which is appropriate to Residential 2 Zoning.</li> </ul>	Accept
4	Beth and Silika Tavui	Oppose	<ul style="list-style-type: none"> <li>• The proposed entrance way of the plan change closest to the park should be shifted into alignment with Rowse Street.</li> <li>• The main building locations of the plan change should be shifted further back towards the reserve at the back of the property.</li> <li>• The Building A location of the plan change is to the rear of Building B location further from South Belt.</li> </ul>	<ul style="list-style-type: none"> <li>• Moving the entrance way to align with Rowse Street would be safer for all residents.</li> <li>• The main building location of A and B are going to be an imposing looking structure due to the maximum height limit, therefore would be better placed further away from existing residents.</li> <li>• If Building location A was on the south side of Building location B it would be a better outcome in terms of access to sunlight.</li> </ul>	Reject  Reject  Reject

5	Craig Wilson	Neutral	<ul style="list-style-type: none"> <li>To keep the Residential 2 Density at 600m2</li> </ul>	<ul style="list-style-type: none"> <li>To ensure that the minimum lot size is contained at 600m2</li> </ul>	Reject
6	Sally Shackleton and Steven Boyd	Oppose	<ul style="list-style-type: none"> <li>Move building location A and B back toward the reserve or to the west of the site.</li> <li>The proposed eastern entry/exit point should be moved to align with Rowse Street or align with the reserve drain area.</li> <li>A provision for parking for staff within a retirement village should be created</li> <li>An entry/exit for heavy vehicles off Townsend Road during construction should be provided for.</li> <li>There should be construction between 7:30am and 6:00pm weekdays only.</li> <li>The plan change should ensure the area is dust free and all dust is contained on site during construction.</li> </ul>	<ul style="list-style-type: none"> <li>Moving the building locations (A &amp; B) will create less visual impact to residents along South Belt.</li> <li>Moving the building locations (A &amp; B) will maximize the sun aspect.</li> <li>Moving the entry/exit point to align with Rowse Street will stop traffic congestion.</li> <li>Moving the exit/entry point to align with Rowse Street makes it easier for residents to exit their properties. (Plan submitted with annotations)</li> <li>Overflow parking on South Belt will create a shortage in the area for residents if a provision for staff car parking is not provided for.</li> <li>Limiting construction to certain hours and days will create less disturbance to local residents.</li> <li>Limiting construction to certain hours and days will create less noise pollution for local residents.</li> <li>If dust is not contained on site dust storms would affect local residents health and well-being and create visibility issues to motorists.</li> </ul>	Reject  Reject  Reject
7	Janet Pearson	Support	<ul style="list-style-type: none"> <li>Approve the Plan Change</li> </ul>	<ul style="list-style-type: none"> <li>There is a growing need for his type of accommodation.</li> </ul>	Accept
8	MA & BL Clarke Family Trust	Support	<ul style="list-style-type: none"> <li>Approve the Plan Change</li> </ul>	Accept	Accept
9	Helen Gilmore	Support	<ul style="list-style-type: none"> <li>Approve the Plan Change</li> </ul>	<ul style="list-style-type: none"> <li>The proposed plan change will be an asset to the area.</li> <li>The proposed plan change will enable improvements in access to, and frequency of, public transport.</li> <li>The proposed plan change will enable the installation of footpaths and improvements in the maintenance of those.</li> <li>The proposed plan change will enable improvements in traffic management and safety concerns in the area.</li> <li>The proposed plan change will enable enhancements of features and facilities within the general area that impact on the safety and well-being of village residents.</li> </ul>	Accept
10	Mandy Scott	Oppose	<ul style="list-style-type: none"> <li>The entry/exit should be moved to align with Rowse Street or have the entrance off Townsend Road.</li> <li>Visitor and Staff Parking for a Retirement village should be</li> </ul>	<ul style="list-style-type: none"> <li>The proposed plan change will increase traffic congestion.</li> <li>Parking is already limited due to training at the rugby fields and there will not be enough parking on South Belt for existing residents with further development.</li> </ul> (Plan submitted with annotations)	Reject  Reject

			provided on-site or on Townsend Road and not on South Belt.		
11	McAlpines Timber Limited – Martin Pinkham	Support with Amendments	<ul style="list-style-type: none"> <li>Ensure that reverse sensitivity is considered in terms of existing noise, light, and traffic noise.</li> </ul>	<ul style="list-style-type: none"> <li>Ensuring that the lawfully established, and future, activities on the adjacent Southbrook Business 2 (and potentially Industrial) land are protected and not subject to complaint from the new residents of the proposed Plan Change development area.</li> <li>The development (including the buildings) should be designed to ensure that activities, lighting and noise from the Business 2 (Industrial) land does not impact on the proposed development.</li> </ul>	Reject
13	Fire and Emergency New Zealand (FENZ)	Support with Amendments	<ul style="list-style-type: none"> <li>The addition of assessment criteria in relation to firefighting water supply and access.</li> </ul>	<ul style="list-style-type: none"> <li>Addition of the assessment criteria is to enable FENZ to carry out its firefighting duties in the case of an emergency.</li> <li>Should the future development of a retirement village include buildings such as a care facility or communal hall, FW2 of the Code of Practice may not be sufficient.</li> </ul>	Reject

## Plan Change 29 Approved with Modifications

### Chapter 1. Definitions

#### Retirement Village (from NPS)

means a managed comprehensive residential complex or facilities used to provide residential accommodation for people who are retired and any spouses or partners of such people. It may also include any of the following for residents within the complex: recreation, leisure, supported residential care, welfare and medical facilities (inclusive of hospital care) and other non-residential activities.

### Chapter 17. Residential Zones

#### Objectives and Policy

Table 17.1: Residential Zone Characteristics – Residential 1 and 2

Residential 1	Residential 2
<ul style="list-style-type: none"> <li>— Predominant activity is living;</li> <li>— facilities include schools, limited commercial activities , reserves, churches, and service related businesses;</li> <li>— highest density of dwellings for the District's Residential Zones;</li> </ul>	<ul style="list-style-type: none"> <li>— Predominant activity is living;</li> <li>— predominantly detached dwellings;</li> <li>— facilities include schools, local shops, churches, places of assembly, reserves and retirement villages;</li> <li>— lower density of dwellings than for Residential 1;</li> </ul>
<ul style="list-style-type: none"> <li>— flats and townhouse developments are more common than Residential 2;</li> <li>— minimum lot size 300 square metres, and maximum site coverage 50%;</li> <li>— streetscapes enhanced by mature trees and other plants;</li> <li>— hard surfaces visually dominant;</li> <li>— full urban services; and</li> <li>— footpaths on both sides of the street</li> </ul>	<ul style="list-style-type: none"> <li>— lot sizes minimum 600 square metres and maximum site coverage 35%;</li> <li>— open, spacious streetscape, with hard surfaces visually dominant;</li> <li>— low traffic speeds;</li> <li>— fewer traffic movements on many streets than in Residential 1;</li> <li>— limited advertising;</li> <li>— full urban services; and</li> <li>— trees and plants enhance streetscapes</li> </ul>

### Chapter 27. Natural Hazards – Rules

#### 27.1 Permitted Activities

27.1.1.33 Within the South Belt Outline Development Plan area shown on District Plan Map 184, any dwellinghouse shall have a finished floor level of 400mm above the 0.5% Annual Exceedance Probability combined rainfall and Ashley River Breakout event

## Chapter 30. Utilities and Traffic Management – Rules

### Traffic Management

#### 30.6 Permitted Activities

##### 30.6.2 Exemptions

- 30.6.2.7 The intersections of roads within the South West Rangiora Outline Development Plan area shown on District Plan Map 173, and within the South Belt Outline Development Plan area shown on District Plan Map 184 are exempt from complying with Rule 30.6.1.32.

## Chapter 31. Health, Safety and Wellbeing – Rules

### Buildings and Structures

#### 31.1 Permitted Activities

##### Structure Coverage

31.1.1.10 The structure coverage of the net area of any site shall not exceed:

- a. 50% in Residential 1 Zones;
- b. 35% in Residential 2, 3, 5 and 6 Zones;
- ...
- m. 35% for any retirement village in the Residential 2 zone (subject to the South Belt Outline Development Plan as shown on District Plan Map 184) as an average across the site, however within Height Area B up to 50% of that area may be covered by structures.

##### Structure Height

31.1.1.24 Any structure in a Residential 1, 2, 3, 6 or 7 Zone (Areas B and C) shall not exceed a height of 8m except within the View Protection Area identified in Maori Reserve 873 shown on District Plan Map 176B, where any structure shall not exceed a height of 5 metres, and except within the areas identified as Height Area A and Height Area B on the South Belt Outline Development Plan as shown on District Plan Map 184, where only for a retirement village structure:

- a Within Height Area A no structure shall exceed a height of 14 metres, and
- b Within Height Area B no structure shall exceed a height of 10.5 metres.

##### Outdoor Living Space and Service Areas

31.1.1.36 Each dwellinghouse in the: ...

31.1.1.37 Comprehensive residential developments shall be provided with:

- a. a continuous private ground level outdoor living space per dwellinghouse that:
  - i. contains a 4 x 4m square;
  - ii. has a minimum dimension of 3m;
  - iii. is not occupied by any building, driveway, manoeuvring or parking area; and
  - iv. has direct sunlight available throughout the year.
- b. a minimum of 5m<sup>2</sup> of outdoor service area per dwellinghouse to provide for rubbish and recycling storage for each dwellinghouse that:
  - i. has a minimum dimension of 1.5m; and
  - ii. is screened or located behind buildings when viewed from any road or public open space.

Non-compliance with Rule 31.1.1.37 will not require an application to be notified or served on affected persons, unless required through non-compliance with other plan conditions.

31.1.1.38 Within a Retirement Village in the Residential 2 zone subject to South Belt Outline Development Plan as shown on District Plan Map 184, there shall be communal rubbish/recycling space/s provided for use of residents within the site and no specified private outdoor living spaces or service spaces are required.

31.1.1.53 Within the Residential 2 Zone subject to South Belt Outline Development Plan as shown on District Plan Map 184 all fencing between the residential property and reserve land or road reserve shall have a maximum height of 1.8m and a minimum visual permeability/openness of 45%.

## 31.2 Controlled Activities

31.2.2 A retirement village, in the Residential 2 zone subject to South Belt Outline Development Plan as shown on District Plan Map 184, that meets all applicable conditions for permitted activities under Rule 31.1 shall be a controlled activity.

In considering any application for resource consent under Rule 31.2.2, the Council shall in granting consent and in deciding whether to impose conditions, exercise control over the following matters:

Whether the development, while bringing change to existing environments, is appropriate to its context, taking into account:

- whether the proposal would cause significant loss of sunlight, daylight or privacy on adjoining residential properties.
- the ability of the proposal to provide engagement with, and contribution to, adjacent streets and public open spaces, with regard to:
  - fencing and boundary treatments;
  - connectivity, including the configuration of pedestrian accesses.
- the mitigation measures proposed, including landscape planting, to mitigate any adverse effects of loss of trees from the site or openness of the site, and to assist the integration of the proposed development within the site and neighbourhood.
- the location and design of vehicle and pedestrian access and on-site manoeuvring to cater for the safety of elderly, disabled or mobility-impaired persons.
- integration of internal accessways, parking areas and garages in a way that is safe for pedestrians and cyclists, and that does not visually dominate when viewed from the street or other public spaces.
- the degree to which the village design demonstrates that the design has had particular regard to personal safety of the occupants, both in the sense of injury prevention and crime prevention.
- creation of visual quality and variety through the separation of buildings, building orientation, and in the use of architectural design, detailing, glazing, materials, colour and landscaping.
- where practicable, incorporation of environmental efficiency measures in the design, including passive solar design principles that provide for adequate levels of internal natural light and ventilation.
- the proposed stormwater management within the site.
- the appropriate provision of esplanade reserve land.

## 31.3 Discretionary Activities (Restricted)

31.3.8 A retirement village, in the Residential 2 zone subject to South Belt Outline Development Plan as shown on District Plan Map 184, that does not meet any one or more of the applicable conditions for permitted activities under Rule 31.1.

In considering any application for a resource consent under Rule 31.3.8 the Council shall, in deciding whether to grant or refuse consent, and in deciding whether to impose conditions, restrict the exercise of discretion to the following matters:

Whether the development, while bringing change to existing environments, is appropriate to its context, taking into account:

- whether the proposal would cause significant loss of sunlight, daylight or privacy on adjoining residential properties.
- the ability of the proposal to provide engagement with, and contribution to, adjacent streets and public open spaces, with regard to:
  - fencing and boundary treatments;
  - connectivity, including the configuration of pedestrian accesses.
- the mitigation measures proposed, including landscape planting, to mitigate any adverse effects of loss of trees from the site or openness of the site, and to assist the integration of the proposed development within the site and neighbourhood.
- the location and design of vehicle and pedestrian access and on-site manoeuvring to cater for the safety of elderly, disabled or mobility-impaired persons.
- integration of internal accessways, parking areas and garages in a way that is safe for pedestrians and cyclists, and that does not visually dominate when viewed from the street or other public spaces.
- the degree to which the village design demonstrates that the design has had particular regard to personal safety of the occupants, both in the sense of injury prevention and crime prevention.

- creation of visual quality and variety through the separation of buildings, building orientation, and in the use of architectural design, detailing, glazing, materials, colour and landscaping.
- where practicable, incorporation of environmental efficiency measures in the design, including passive solar design principles that provide for adequate levels of internal natural light and ventilation.
- the proposed stormwater management within the site.
- the appropriate provision of esplanade reserve land.

## Chapter 32. Subdivision – Rules

### 32.1.1 Standards and Terms

#### Allotment Areas and Dimensions

32.1.1.1 All allotments shall comply with Table 32.1.

**Table 32.1: Minimum Allotment Areas and Dimensions**

Zone	Minimum Allotment Area	Minimum Dimensions of Allotment (m)	
		Internal Square	Frontage
Residential 2 (excluding Comprehensive Residential Development and a retirement village in the Residential 2 zone subject to South Belt Outline Development Plan as shown on District Plan Map 184)	600m <sup>2</sup>	18 x 18	15
	NOTE: See Rules 32.1.1.4, 32.1.1.8, 32.1.1.9 and 32.1.1.10		

32.1.1.28 Subdivision within the following areas shall generally comply with the Outline Development Plan for that area.

...

ak) The Residential 2 Zone on South Belt, subject to South Belt Outline Development Plan as shown on District Plan Map 184.

#### Finished Section Levels

32.1.1.91 Within the South Belt Outline Development Plan area as shown on District Plan Map 184 any residential allotment shall have a finished ground level that avoids inundation in a 0.5% Annual Exceedance Probability combined rainfall and Ashley River Breakout event.

#### 32.4 Non-complying Activities

32.4.1 Except where exempted under Rule 32.1.2, any subdivision that does not comply with Rules 32.1.1.1 to 32.1.1.28, 32.1.1.54 to 32.1.1.57 or 32.1.1.65 to 32.1.1.76, or 32.1.1.78 and 32.1.1.80 to 32.1.1.82 or 32.1.1.91 or 32.1.1.93 is a non-complying activity.

## Chapter 33. Esplanades: Locations and Circumstances – Rules

33.1.1 Except where provided by Rules 33.1.2, 33.1.5 and 33.1.6 an esplanade reserve or esplanade strip shall be created or set aside for any allotment which is created on subdivision regardless of the size of the allotment created where any part of the land to be subdivided in any zone:

a) adjoins or is crossed by a river listed in Table 33.1; or

b) adjoins the coastal marine area boundary. or

c) as required by Rule 33.1.7.



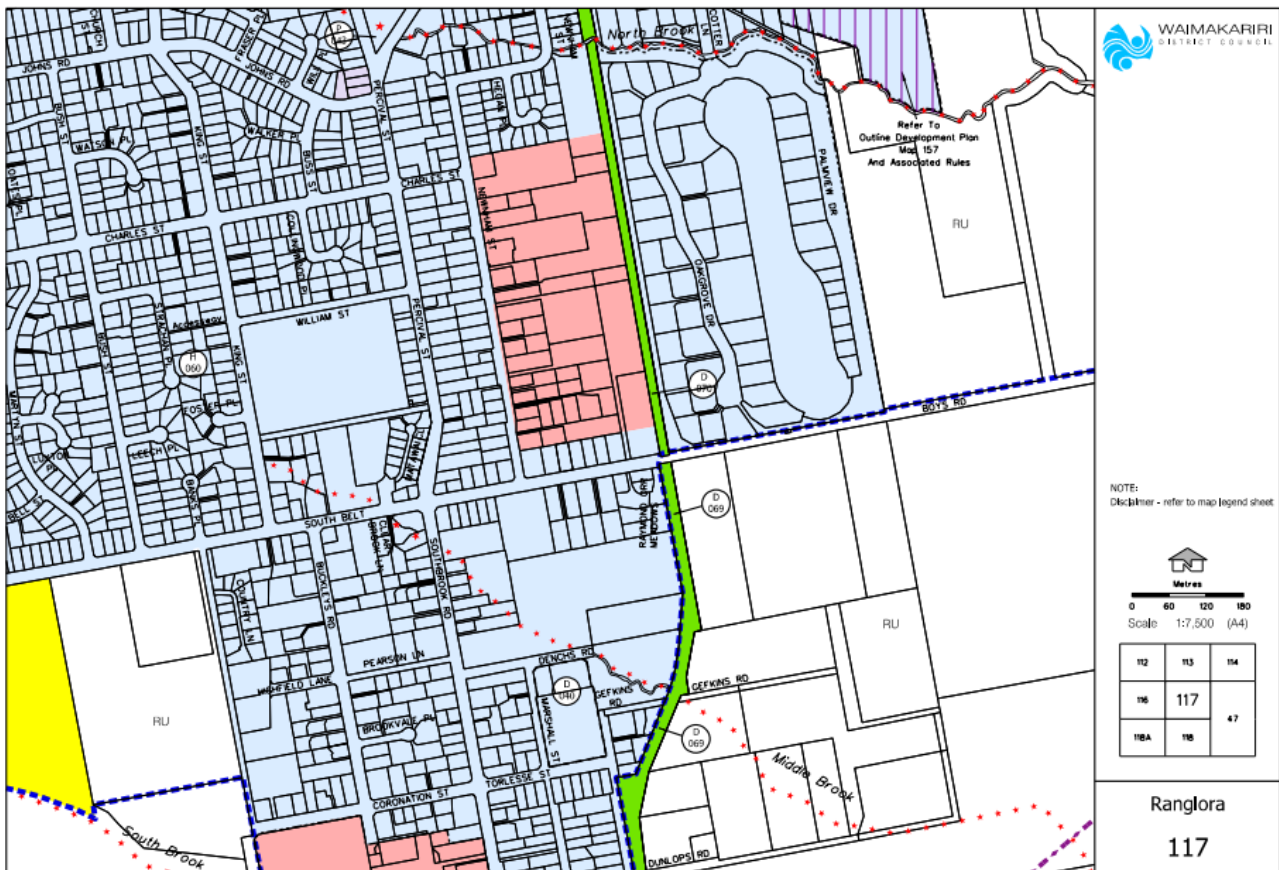
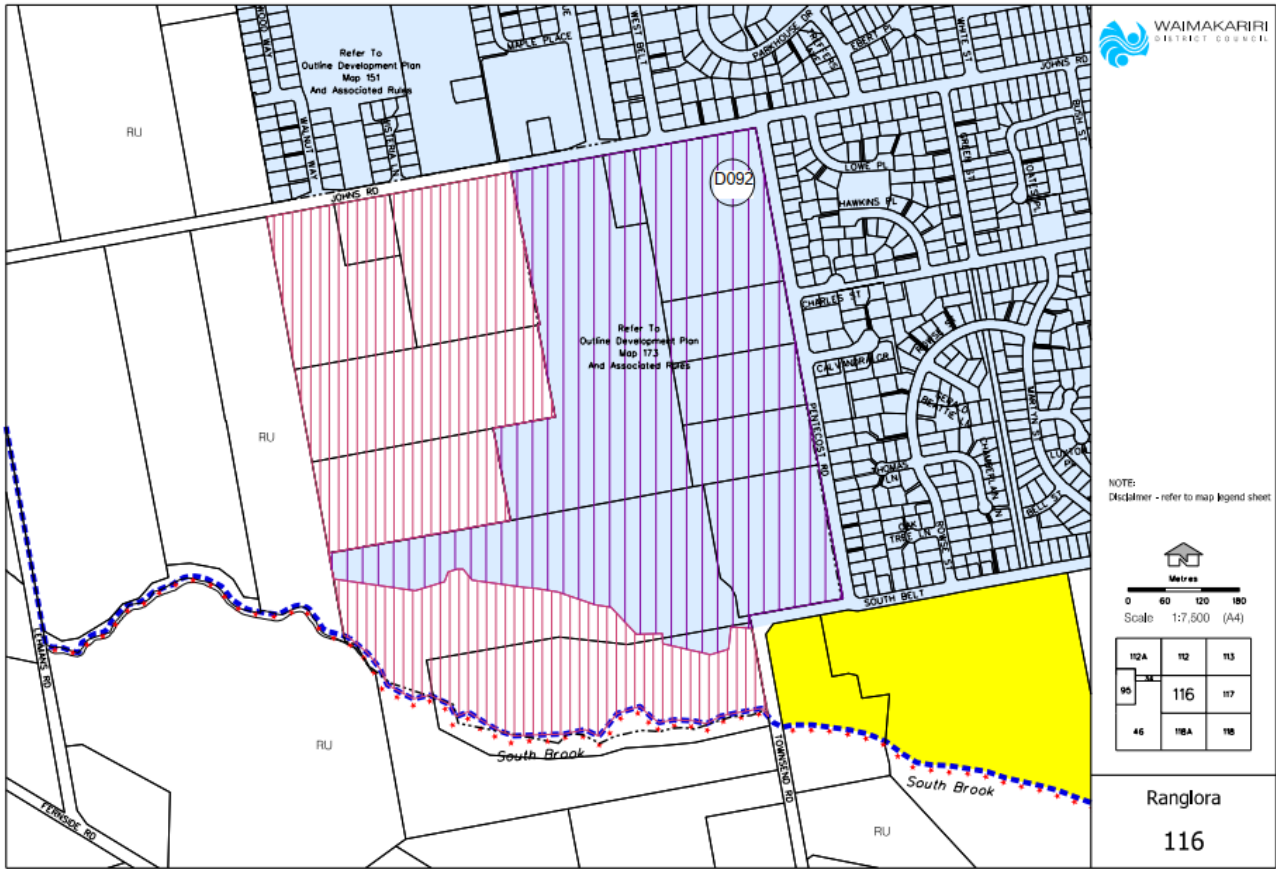
33.1.4 Except where provided by Rule 33.1.6 and Rule 33.1.7, the minimum width of an esplanade reserve or esplanade strip required under Rules 33.1.1 and 33.1.2 shall be 20m.

33.1.7 Esplanade reserves shall be provided for land adjoining the Southbrook Stream as shown on the South Belt Outline Development Plan. The esplanade reserves shall conform with the dimensions shown on South Belt Outline Development Plan as shown on District Plan Map 184.

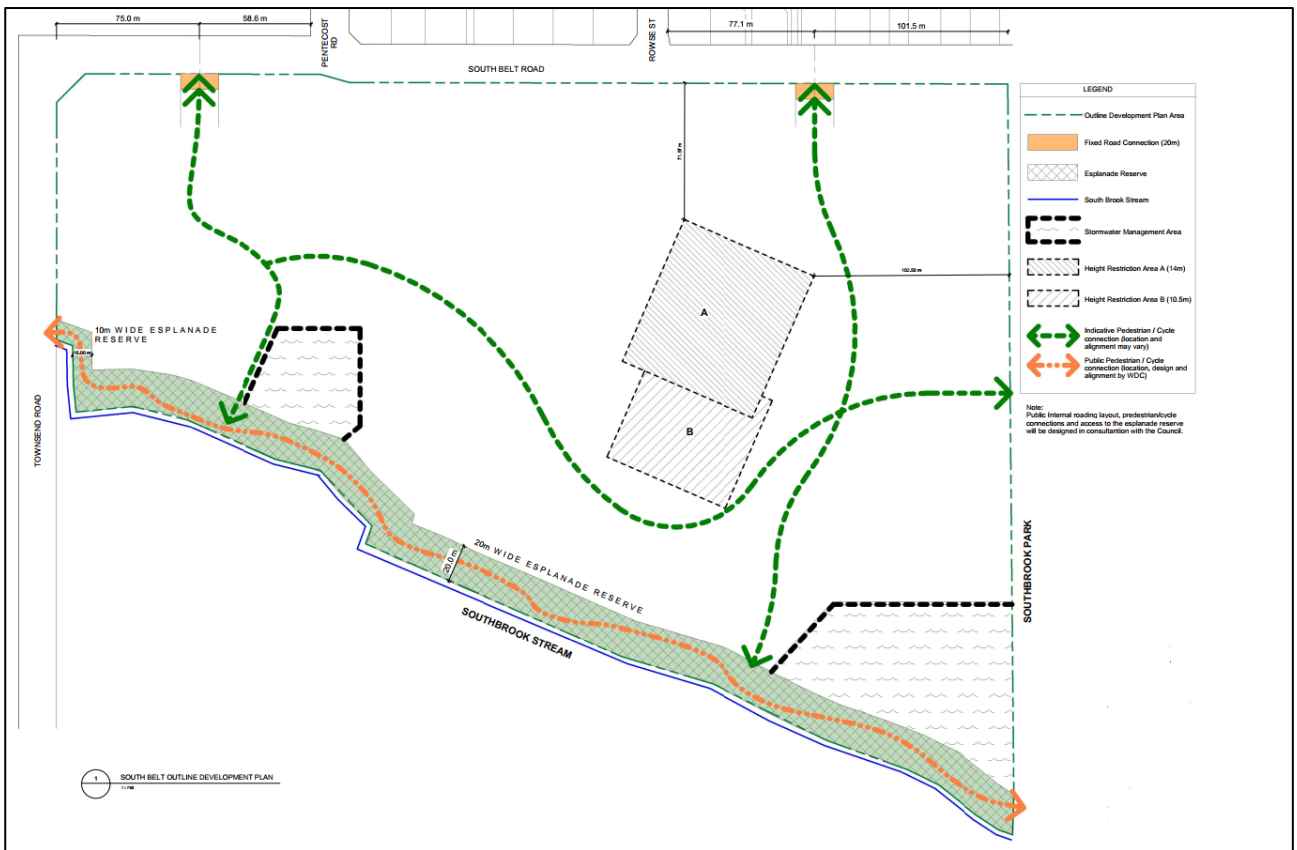
*Any other consequential amendments and numbering changes.*

Planning Maps

- Change Planning Maps 116 and 117 to show the area as Residential 2 zone



- Insert a new Map 184 to contain the South Belt Outline Development Plan





TOTAL	2B C1	2B C3	2B C2	2B C4	2B Mid V1	2B Mid V2	2B End V3	3B End V4	TOTAL ILU's	1B ALS	MC MCS	TOTAL VILLAGE	CARE BEDS CB
	9	11	17	13	80	42	14	74	260	56	20	336	43
% MIX (EXCL. CA'S)	3%	4%	7%	5%	31%	16%	5%	28%					
% COTTAGES	19%												
% VILLA MID				31%									
% VILLA END						50%							

TOTAL VILLAS & COTTAGES	260
TOTAL ASSISTED LIVING SUITES	56
TOTAL MEMORY CARE SUITES	20
TOTAL VILLAGE	336
TOTAL CARE FACILITY BEDS	43
<b>PARKING INFORMATION</b>	
TOTAL SITE PARKING	87
TOTAL PARKS INCL. VILLAS & ALS/MCS	564
CYCLE PARKS	8

GENERAL LEGEND	
T1	TRANSFORMERS 1 & 2
T2	
IB	IRRIGATION BORE
BFP	BACKFLOW PREVENTOR
MDSB	MAIN DISTRIBUTION BOARD
	VILLAGE GREEN CORRIDOR PLANTING

VILLA SCHEDULE					
Villa Type	No. of Villas	Villa Mix	Villa Footprint Area	Villa Hard Landscaping Area	No. of Villa Carports
C1	9	3%	216m²	99m²	0
C2	13	7%	1204m²	169m²	26
C3	11	4%	432m²	132m²	0
C4	17	5.5%	1574m²	221m²	34
V1	80	31%	8496m²	1120m²	160
V2	42	16.5%	4460m²	588m²	84
V3	14	5%	1557m²	196m²	28
V4	74	28%	9043m²	1036m²	148
<b>Total</b>	<b>260</b>	<b>100.0%</b>	<b>26982m²</b>	<b>3561m²</b>	<b>480</b>

REGIONAL MAIN BUILDING SCHEDULE				
Type	RMB Zone Area	No. of A.L.S.	No. of M.C.S	No. of Care Beds
RMB Z1	1790m²	0	20	43
RMB Z2C	1376m²	23	0	0
RMB Z3	770m²	33	0	0
<b>Total: 3</b>	<b>3936m²</b>	<b>56</b>	<b>20</b>	<b>43</b>

PROPERTY SCHEDULE	
Name	Area
Total Site Area	138104.15m²
Total Balance Land Area	21054.76m²
Total Site Area used in Calculation	105832.35m²

IMPERVIOUS AREA SCHEDULE	
Type	Area
Driveways	5904m²
Patio	3561m²
RMB Hard Landscaping	768m²
Roads	16611m²
Services & Hardstanding Areas	99m²
Site Paths & Walkways	1798m²
<b>Total</b>	<b>28741m²</b>

ANCILLARY BUILDING SCHEDULE	
Type	Area
Hobbies & Maintenance Shed	3.0 187m²
Gas Store	10m²
<b>Total</b>	<b>197m²</b>

SITE METRICS SCHEDULE	
Metric	Value
Site Coverage %	29.4 %
Impervious Area % (excl bldg)	27.2 %
<b>Total Impervious Area %</b>	<b>56.6 %</b>

Boundary lines along Esplanade Reserve revised to Graham Surveying  
 dwg ref GSL18076-SU-1001 Rev 3

A	09.11.2020	RESOURCE CONSENT ISSUE
Rev	Date	Description

Client: **Summerset**

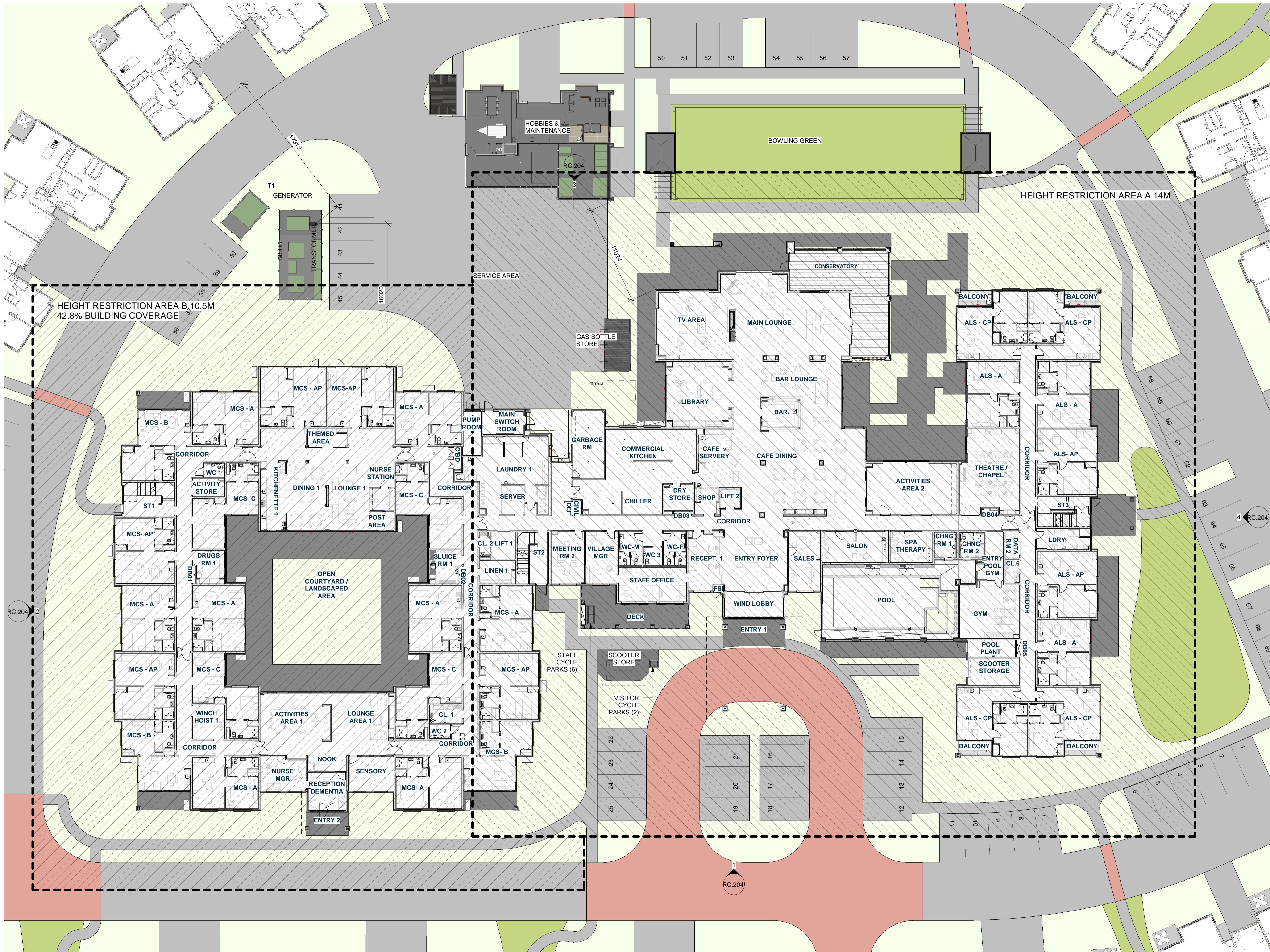
Summerset Head Office : Ph. 04 894 7320 Fax. 04 894 7319  
 headoffice@summerset.co.nz www.summerset.co.nz

Project Name: **SUMMERSET VILLAGE RANGIORA**

Project Stage: **RESOURCE CONSENT**

Drawing Title: **MASTER PLAN - UNIT TYPES & UNIT MIX**

DO NOT SCALE DRAWINGS. DATE: 05/11/20  
 Original Sheet Size: A1  
 Project Number: 048 Drawing Number: RC.011 Rev: A



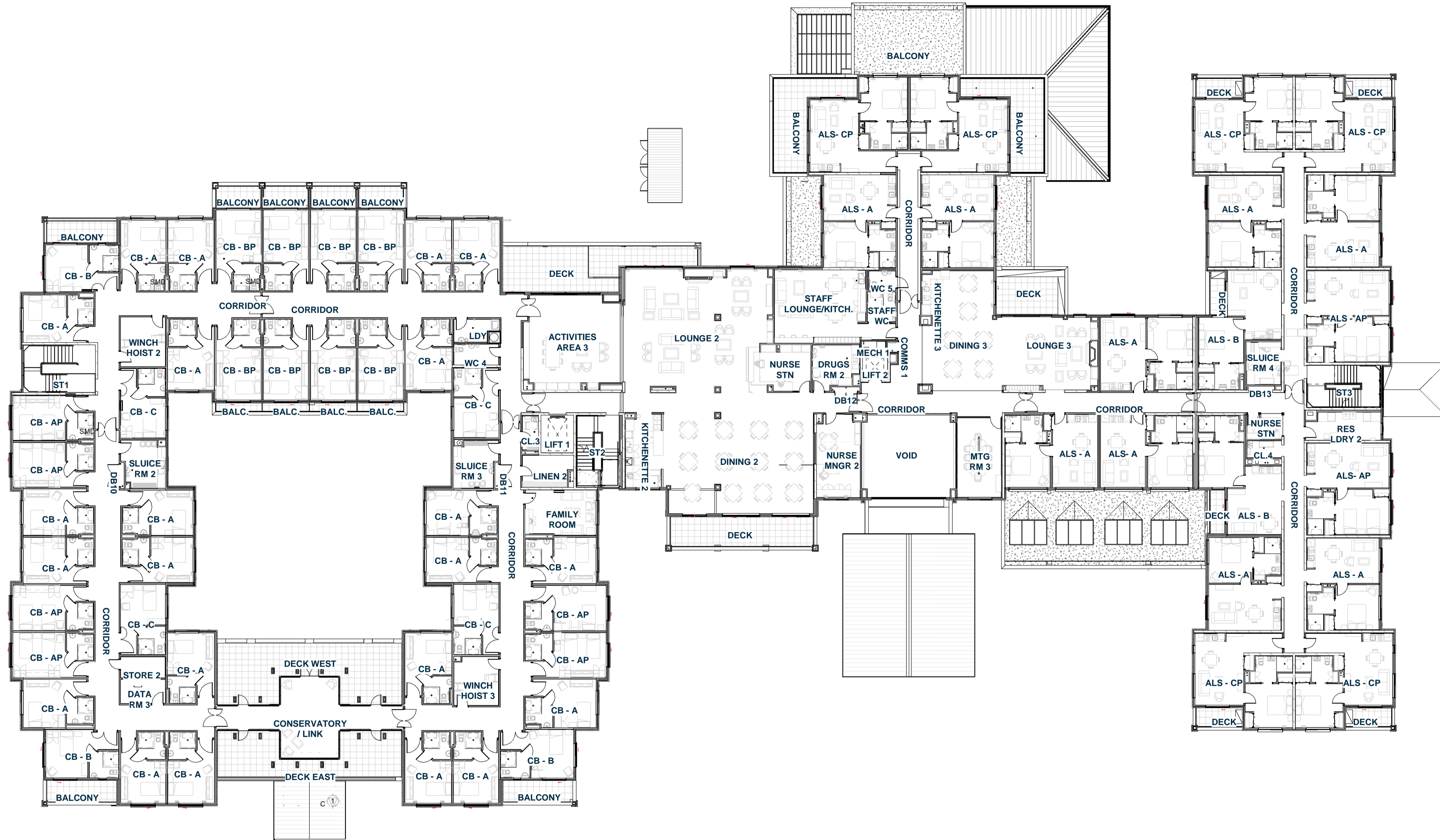
Rev	Date	DESCRIPTION
A	09.11.20	RESOURCE CONSENT ISSUE

Client:  
**Summerset**  
 Summerset Head Office Ph: 04 894 7320 Fax: 04 894 7310  
 HeadOffice@summerset.co.nz www.summerset.co.nz

Project Name:  
**SUMMERSSET RANGIORA VILLAGE**  
 Project Stage: Block Number:  
**RESOURCE CONSENT**  
 Drawing Title:  
**MAIN BUILDING GROUND FLOOR PLAN**

DO NOT SCALE DRAWINGS. DATE 09.11.20  
 Original Sheet Size: A1 Rev  
 Project Number: Drawing Number: Rev  
 048 RC.200 A

RC.204  
3



RC.204 2

RC.204 4

RC.204 1

1 MAIN BUILDING FIRST FLOOR PLAN  
1:200

Rev	Date	Description
A	09.11.20	RESOURCE CONSENT ISSUE

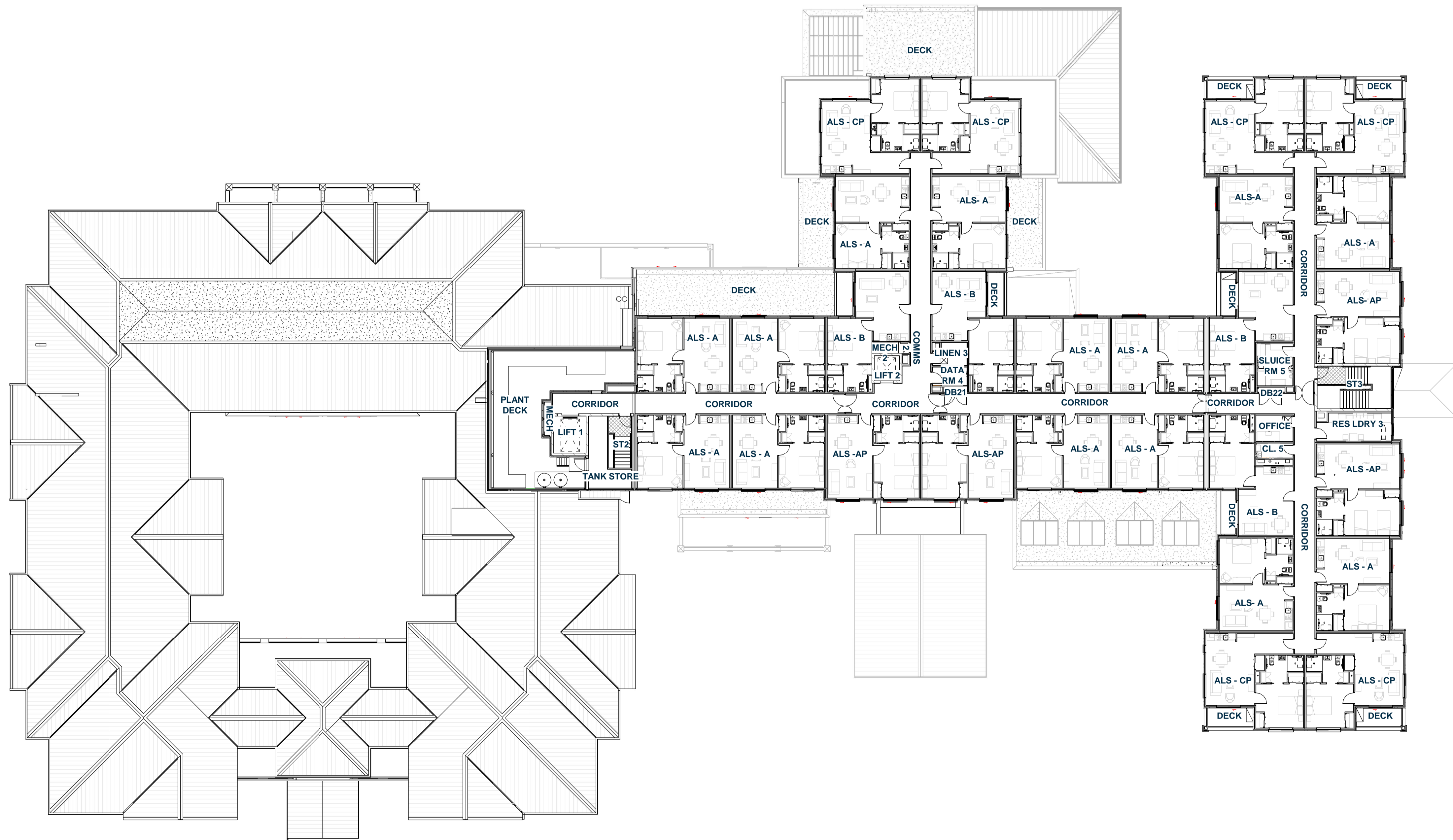
Client:

**Summerset**  
Summerset Head Office Ph: 04 894 7320 Fax: 04 894 7310  
headoffice@summerset.co.nz www.summerset.co.nz

Project Name: SUMMERSET RANGIORA VILLAGE  
Project Stage: Block Number:  
Drawing Title: RESOURCE CONSENT  
MAIN BUILDING FIRST FLOOR PLAN

DO NOT SCALE DRAWINGS. DATE 09.11.20  
Original Sheet Size: A1 Rev A  
Project Number: 048 Drawing Number: RC.201

9/11/2020 11:44:32 AM



RC.204 2

RC.204

1  
RC.204

1 MAIN BUILDING SECOND FLOOR PLAN  
1 : 200

Rev	Date	Description
A	09.11.20	RESOURCE CONSENT ISSUE

Client:

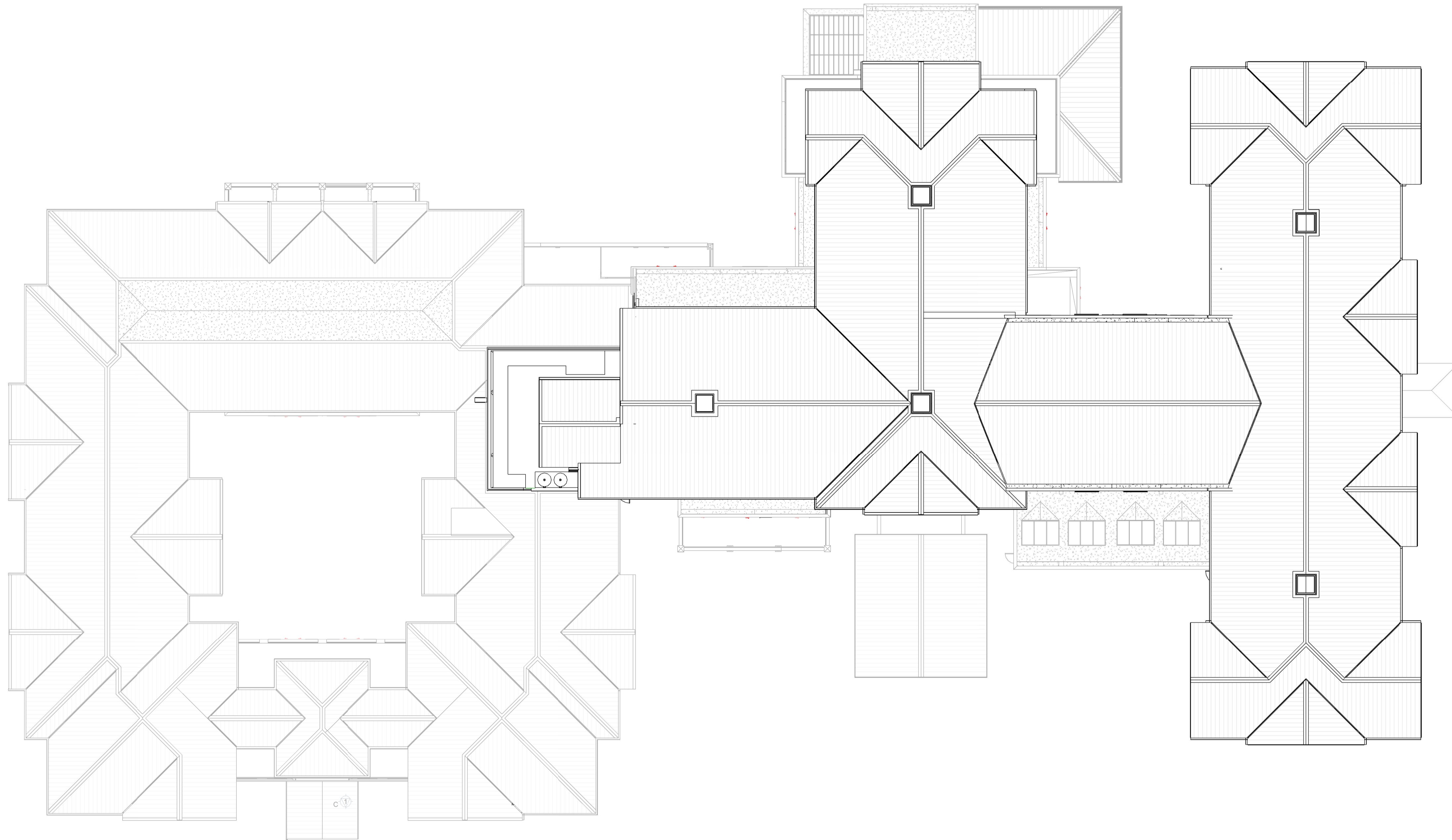
**Summerset**  
 Summerset Head Office Ph: 04 894 7320 Fax: 04 894 7310  
 headoffice@summerset.co.nz www.summerset.co.nz

Project Name:  
 SUMMERSET RANGIORA VILLAGE

Project Stage: Block Number:  
 RESOURCE CONSENT  
 Drawing Title:  
 MAIN BUILDING SECOND FLOOR PLAN

DO NOT SCALE DRAWINGS. DATE  
 Original Sheet Size: A1 09.11.20  
 Project Number: Drawing Number: Rev  
 048 RC.202 A

9/11/2020 11:43:39 AM



RC.204 2

1  
RC.204

Rev	Date	Description
A	09.11.20	RESOURCE CONSENT ISSUE

Client.

**Summerset**  
 Summerset Head Office Ph: 04 894 7320 Fax: 04 894 7310  
 headoffice@summerset.co.nz www.summerset.co.nz

Project Name:  
 SUMMERSET RANGIORA VILLAGE

Project Stage: Block Number:  
 RESOURCE CONSENT  
 Drawing Title:  
 MAIN BUILDING ROOF PLAN

DO NOT SCALE DRAWINGS. DATE  
 Original Sheet Size: A1 09.11.20  
 Project Number: Drawing Number: Rev  
 048 RC.203 A

9/11/2020 11:44:44 AM



Our Reference: RC205377 / 210517077779  
Valuation Reference: 21592-069-02

17 May 2021

Boffe Miskell Ltd  
PO Box 110  
**CHRISTCHURCH 8140**

**Attention: S Styles**

Dear Stephanie

**DECISION ON RESOURCE CONSENT APPLICATION  
SUMMERSET VILLAGES (RANGIORA) LIMITED - 141 SOUTH BELT, RANGIORA**

Please find enclosed a copy of the decision reached by the Planning Manager under delegated authority from the Council on the above application.

Yours faithfully



Sam Kealey  
**RESOURCE MANAGEMENT PLANNER**

Encl

CC:  
Summerset Villages (Rangiora) Limited  
PO Box 5187  
**WELLINGTON 6140**

[Heather.bateman@summerset.co.nz](mailto:Heather.bateman@summerset.co.nz)

**WAIMAKARIRI DISTRICT COUNCIL**

**IN THE MATTER** of the Resource Management Act 1991

**AND**

**IN THE MATTER** of an application lodged by **Summerset Villages (Rangiora) Limited** for a resource consent under Section 88 of the aforementioned Act.

**APPLICATION**

The applicants sought a resource consent to consent to construct and operate a comprehensive retirement village. Within the total 13.81ha site, 10.58ha is proposed to contain the retirement village and the balance land will be used temporarily as construction access and a construction management area, then left as vacant land for future development.

A total of 260 independent residential units and 119 suites/beds within the Main Building are proposed for the village.

These are made up of:

<b>Type of Living Arrangement</b>	<b>Number</b>
2 or 3 bedroom self-contained villas and cottages	260
Assisted living suites (within the Main Building)	56
Memory care suites (within the Main Building)	20
Rest home and hospital beds (within the Main Building)	43

The Main Building has three main wings with an internal courtyard servicing the memory care suites. It is surrounded by landscaped areas, seating, and an outdoor bowling green.

The Main Building contains:

- **Ground floor:** Foyer/reception, gymnasium, swimming pool, lounges, library, village café, theatre/chapel, main kitchen, hair salon, laundry, memory care apartments and serviced apartments.

- First Floor: Lounge and dining areas, activity areas, care rooms and assisted living suites.
- Second Floor: Assisted living suites.

Fencing of the site along South Belt will largely be 1.2m high open, steel railing type fencing with 1.5m high brick masonry pillars. At the main entrance on South Belt there will be solid feature walls to identify the site and entrance gates.

The western boundary will have a 1.8m high paling timber fence (adjacent to where future residential development is likely to occur on the balance land), while the eastern and southern boundaries adjoining Southbrook Park and the esplanade reserve will be fenced with 1.5m high open style aluminium fencing.

The village is proposed to have a total of 65 general car parking spaces (equating to 20 car parks for staff and 45 car parks for visitors), 4 accessible car parks and 2 parks for Somerset vehicles.

With each villa proposed to have a garage and the driveway also providing a visitor car space, a total of 564 car parks are provided within the village. There will also be 12 cycle parks located adjacent to the principal entrance to the Main Building.

It is proposed to undertake a total of 37,000m<sup>3</sup> of earthworks over the entire site, made up of 7,200m<sup>3</sup> of cut and 45,000m<sup>3</sup> of fill. The large quantities of fill are required to raise the site to the level required by the District Plan to manage flood risk. The maximum cut will be around 2.6m in depth (to construct the stormwater basin), and the maximum height of fill will be approximately 1.8m on the southern boundary.

The site will be fully serviced including water supply, stormwater, wastewater, power and communications.

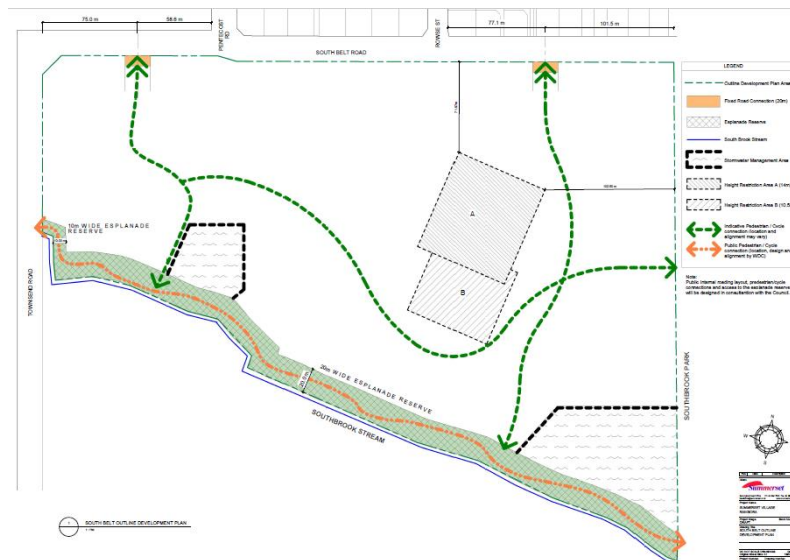
Temporary sales signage is proposed at the site frontage along South Belt during site construction works. It is proposed to have up to 23 such signs, with each sign measuring up to 7.2m<sup>2</sup> which equates to a total area of 165.6m<sup>2</sup> of signage at a maximum during construction.

In addition, a further temporary large sales sign is proposed to be located on the corner of South Belt and Townsend Road with each face measuring 18m<sup>2</sup> (6m x 3m), and with a total height of 4.8m. The permanent sign identifying the name of the applicant (Somerset) and the name of the village only will be displayed on the feature wall to the side of the main entrance to the village. This sign will be 2.6m in width and 0.577m in height, which equates to a total area of 1.5m<sup>2</sup>.

It is also proposed to construct a temporary recreation centre, temporary sales office, temporary ops, temporary show villa and temporary visitor car park so that the applicant is able to use this in the interim whilst the main building is constructed.

## **BACKGROUND**

The subject land was recently the subject of private Plan Change 29 which resulted in the rezoning of this land (and adjacent land to the west) from Residential 4B to Residential 2 and the introduction of an ODP for the land.



**Figure 1: Outline Development Plan 184 – South Belt**

The application site extends from South Belt to South Brook stream. This land was formerly part of a larger title of some 23ha that extended further south towards Ellis Road. An application for subdivision consent (RC195269) was granted in early 2020 to separate this land into two blocks and this subdivision has now been completed.

## **ASSESSMENT**

The application is to erect a retirement village comprising of 43 rest home and hospital beds, 20 memory care suites, 56 assisted living suites, 260 two or three bedroom self-contained villas and cottages, and associated ancillary village amenities, including roading, water, sewer and stormwater supply. The Village is to be located on 10.58ha of the 13.81ha site at 141 South Belt, Rangiora.

The receiving environment is characterised as an undeveloped Residential 2 site which was zoned from a Private Plan Change (PC029). The plan change was granted on 9<sup>th</sup> of October 2020 and then made operative on 25<sup>th</sup> of January 2021. The plan change also included provision for a retirement village to be erected upon this land.

The village is generally designed to be self-contained, with water, stormwater and wastewater services, rubbish collection and deliveries all the responsibility of the operator once they enter the vehicle crossing. The village is not proposed at this stage to be subdivided, with the units all held in ownership by Summerset. The balance of the site, 3.23ha, is to be used temporarily as construction access and a construction management area then left as vacant land for future development.

In forming my view as to the potential adverse effects of the proposal I have turned my mind to the following matters:

- potential effects on the characteristics of the zone;
- visual effects;
- traffic effects;
- construction effects and stormwater management;

- car parking;
- noise;
- servicing;
- flooding; and
- contamination – NESCS.

#### Potential effects on the characteristics of the zone

As previously noted, the application site is located in the Residential 2 Zone, which is anticipated by Policy 17.1.1.1, to achieve the following characteristics:

*“Predominant activity is living;  
 predominantly detached dwellings;  
 facilities include schools, local shops, churches, places of assembly, reserves and retirement villages;  
 lower density of dwellings than for Residential 1;  
 lot sizes minimum 600 square metres and maximum site coverage 35%;  
 open, spacious streetscape, with hard surfaces visually dominant;  
 low traffic speeds;  
 fewer traffic movements on many streets than in Residential 1;  
 limited advertising;  
 full urban services; and  
 trees and plants enhance streetscapes”*

In my view, the retirement village land use will achieve the characteristics as set out above. This is because the activity is predominantly detached dwelling living, with dwelling designs and landscape that will closely mirror the current dwellinghouse characteristics of the residential 2 area, and the fact that due to the plan change (PC029) retirement villages are anticipated within the zone.

The design of the overall village is such that low traffic speeds are encouraged within the village, with the use of feature paving, residential laneways and landscaping designed to complement the existing design of the road corridors.

In addition, while the overall traffic volumes will exceed the 250 vehicle movement threshold of the plan, the village is likely to generate fewer overall movements than would be anticipated if the area was developed to a Residential 2 standard, given the residents are generally less active and the retirement village includes all the necessary and immediate amenities.

The proposed structure coverage for the site will be 29.4% well below the 35% maximum and within Height Area B structure coverage will be 42.8%, which is below the 50% maximum.



**Figure 2:** The overall proposed retirement village.

Visual Effects

In beginning my assessment of the potential visual effects of the proposal I note that the village application, in its entirety, complies with the bulk and location requirements relating to overall site coverage, recession planes and structure setbacks to property boundaries.

A request for further information was sent to the applicant and a response received for shadow diagrams to ensure that no shadowing would occur on the road or to neighbouring properties from the main building. Figures 3, 4 and 5 show the diagrams provided which show that the shadows cast will be wholly contained within the site.



**Figure 3, 4 and 5:** Shadow Diagrams for the main building on the shortest day in Winter.

To the south of the subject site is the Southbrook stream which is proposed to have an esplanade reserve vested in Council of 20m for most of the site boundary. This esplanade reserve will provide a buffer to the land at 104 Townsend Road.

To the east of the subject site is Southbrook Park which a recreation reserve is owned by the Waimakariri District Council. Townsend Road borders the western boundary with the subject site with the stormwater management area for Townsend Fields across from the subject site. A number of lots exist to the north of the site along South Belt that are not owned by the

applicant and may potentially be affected by the increased building density of the village. These lots and their associated dwellings generally face with their outdoor area to the north away from the subject site.

In forming my view as to the potential degree of adverse effect generated by the village on the owners and occupiers of these dwellings to the north, I have noted the fact that the application plans show three rows of villas and cottages before the main building, with the villas and cottages being well below the maximum 8m height limit from existing ground level and compliant with recession planes along the road boundary with South Belt.

The proposed units on this boundary are located in clusters of two, three and four, with maximum building heights of 4.82 metres, which are within the required recession plane for this boundary orientation. For these reasons, I agree with the applicant's assessment that the units along this boundary will present as similar to the existing Residential 2 land use pattern in South Belt, and less than the permitted plan baseline for dwellings on this boundary (being 8 metres in height at the recession plane angle).

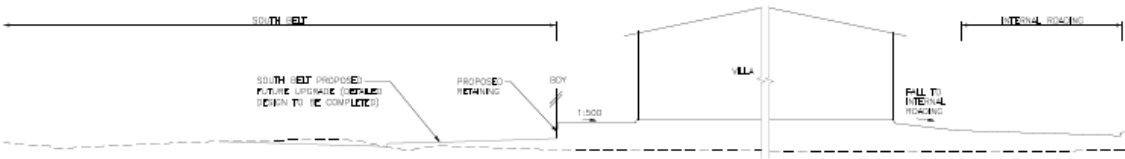


Figure 6: Cross Section showing South Belt, the first row of villas/cottages and the internal street

The applicant has also provided an assessment of the potential visual effects of the main care building, which, as noted, will be a maximum of 14 metres high as per the ODP. The building is set back more than 70 metres from the road boundary, and as stated in between the road boundary and main building are three rows of self-contained villas and/or cottages.

These design matters are further supported by an architectural statement and a landscape visual assessment prepared by Summerset Architects and Boffa Miskell Senior Architect, James Bentley. The design requirements within the District Plan are a controlled activity pursuant to the plan change that saw the rules drafted and imposed in the Plan. The list of matters that can be looked at around design are limited and have been addressed extensively throughout the application.

I have read the reports of Mr Bentley and Summerset, and in my view the potential effects on the amenity, character and visual effects resulting from the proposal will be less than minor. This is fundamentally due to the proposal complying with structure coverage, structure setbacks, height, shading and the inclusion of trees, shrubbery and landscaping throughout the retirement village.

The application plans show the village site being surrounded by a mix of fencing treatments with a maximum height of 1.2 metres (with 1.5 metre brick masonry pillars at intervals) upon a retaining wall of up to 0.6m high along South Belt. The design of the fence is anticipated to be visually permeable while providing a safety barrier to encourage access by way of the main formed entrance off the proposed east-west urban collector Road.

It is my view that the permeable design of this fence will achieve principles of crime prevention through environmental design. The Council's 3 Waters Manager has confirmed that the fence design is appropriate for stormwater to pass through the fence to the kerb and channel unimpeded.

With regards to signage, the application notes that the site signage will be limited to one permanent sign identifying the name of the applicant (Summerset) and the name of the village only and will be displayed on the feature wall to the side of the main entrance to the village. This sign will be 2.6m in width and 0.577m in height, which equates to a total area of 1.5m<sup>2</sup>. The application also includes temporary sales signage at the site frontage along South Belt during site construction works of a maximum of 23 signs, with each sign measuring up to 7.2m<sup>2</sup> which equates to a total area of 165.6m<sup>2</sup> of signage at a maximum during construction.

A further temporary sales sign is proposed to be located on the corner of South Belt and Townsend Road with each face measuring 18m<sup>2</sup> (6m x 3m), and with a total height of 4.8m. I have recommended a condition that limits signage to the identified display area at the locations shown on the approved application plans and as stated within the proposal.

I note that the signage permitted baseline is for signs with a display area of 0.6m<sup>2</sup> to be located on lots that meet the delineated area provisions, which would result in significantly greater effects on the residential amenity of the area than the level of signage proposed by the application.



Figure 7 and 8: Proposed temporary signage during construction of the retirement village.

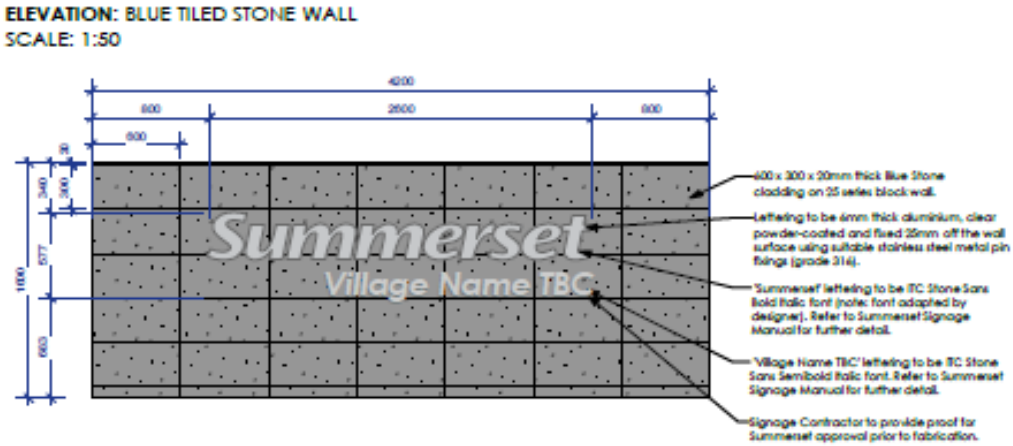


Figure 9: Proposed permanent signage for the retirement village to be located at the entrance.

With regards to potential 'non-residential' effects such as food deliveries, group events, palliative care and non-dwelling levels of car parking, these activities are generally clustered in the centre of the village, and the main central building. In terms of these 'non-residential' effects on the immediate neighbours, these will be mitigated by the triple-layer of residential units between this building and South Belt.



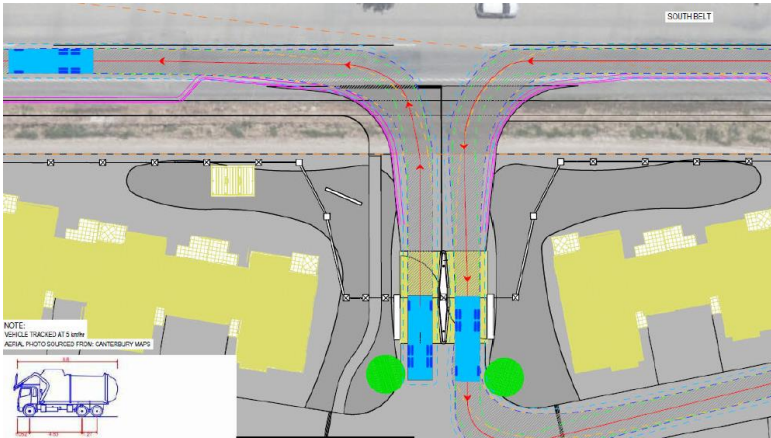
Lighting is proposed to be provided by streetlights along roads with bollard lighting along paths. LED lighting is proposed throughout the landscape design where possible to minimise energy consumption as well as reduce maintenance requirements over the long term. All site lighting is proposed to “not exceed 20 lux (horizontal or vertical) measured at or within the boundary of any site zoned Residential or spill on to any road in a way which may distract traffic” which aligns with the requirements of the District Plan.

Traffic effects

The traffic assessment by Andrew Leckie of Stantec that accompanied the application notes that approximately 1,092 vehicle movements per day could be generated by the village, with up to 131 vehicle movements per hour in peak periods. This compares with 1,230 movements per day and a peak generation of 135 movements per hour for if the site was developed to Residential 2 standards.

Given this, it is my view that the traffic environment generated by the proposal will be similar to that which would be generated as a result of an equivalent development to Residential 2 standards.

Access to the village is by way of a single site access from the east-west urban collector road of South Belt. Stantec have further assessed the potential effects on the safe and efficient use of this road as a result of the crossing exceeding 6 metres in width (to allow dual access) and concluded that any potential effects will be less than minor. This view is supported by the Council’s Land Development Engineer, Mr Jason Lee.



**Figure 10:** Proposed entrance to the site with tracking for a rigid truck i.e. rubbish truck.

Mr Lee has provided the following in terms of the proposed vehicle access on to South Belt, and I support Mr Lee’s assessment:

*“A transportation assessment has been carried out with the conclusion of the location of the site being appropriate for the retirement village. It has been concluded that the proposed vehicle access arrangements on South Belt are appropriate for the location and activity and the access will be expected to operate safely and efficiently. Detailed design drawings for the South Belt road access including kerb and channel upgrades will be required.”*

As noted in the application, the internal roads will have a width of 6.5 metres to 5.5 metres and provide two lane access movement at low speeds and a small number of short, no-exit sections of road, only serving 5-8 villas, are proposed to be 4.5m wide. This is consistent with those successfully adopted at Summerset villages throughout New Zealand. Mr Lee

agrees that these road widths will be appropriate to the proposal and I agree with that assessment.

Construction effects and stormwater management

The application assessment of effects notes that the construction period is to be undertaken in stages to manage effects of construction and, together with a management plan approach, the effects of earthworks can be appropriately managed. I have recommended a number of conditions that will in my view, and aligning with the Development Engineer, Mr Jason Lee, mitigate any potential effects associated with construction of the village.

In terms of environmental management, Mr Lee stated in his report that a condition will be imposed that prior to any works commencing on site the Consent Holder shall provide an Environmental Management Plan (EMP) to the Council for approval in writing. The EMP shall detail the methodology of works and the environmental controls in place to limit effects from issues involving flooding, dust, noise and pollution, and wildlife. No works shall occur until this EMP has been submitted and approved by Council in writing.

The application contains detailed descriptions of how stormwater flows will be managed. A total of 10.6ha of catchment area with a mixture of hard and soft surfaces has been identified from the master plan. The rainfall intensity of 62.4mm/hr has been calculated with 10min storm for the 10 year ARI and consideration of climate change by the applicant. The applicant noted that the pipe reticulation network will operate surcharged during the 10 year ARI. This means that the network including pipes and manholes need to be maintained regularly by the applicant.

The assessment of secondary overland flow has been undertaken by the applicant. The assessment has been based on the proposed finished ground surface and 50-year storm event which are outlined by WDC requirements.

The assessment shows that overland flow during a 50-year storm event can be directed through the site and within the roads to the Stormwater Management Area (SMA - wet pond) while maintaining 150mm freeboard to the finished floor levels and without exceeding 100mm water depth at the crown of the road (Civil Engineering Report Page 11, Trim Number 201203164160).



Figure 11: Stormwater Management Area proposed as part of the application.

A wet pond has been proposed by the applicant to achieve the quality and quantity mitigation of the site runoff prior to discharging to the Southbrook Stream. The SMA will be designed for the 50-year 12hr event. Conditions will be imposed requiring engineering drawings and calculations in support of the proposed development. The development will need to ensure that stormwater flows do not affect surrounding properties and that run-off does not affect water quality.

The applicants have confirmed that the finished ground profiles will be formed to ensure surfaces slope back into the village. This will ensure surface water is directed away from boundary walls or slopes and towards internal private roads. The Council's Development Engineer, Mr Jason Lee, has confirmed that this is appropriate to allow stormwater to flow from the north to the south and further to the Stormwater Management Area.

### Car parking

The application assessment of effects notes a car parking requirement under the current district plan of 556 spaces, with 567 car parking spaces proposed to be provided by the application plan (an over allocation of 11 car parking spaces). All cottages and villas, except for the type C1 and C3 cottages, will be provided with a garage and a space in front of the garage for car parking.

Essentially, two parking spaces are available to cater for residents and visitors of those cottages and villas. In addition, there are 87 car parking spaces around the main building and the nearby type C1 and C3 cottages. These will be available for visitors, staff and residents of the village, including those of type C1 and C3 cottages. Four disabled parking spaces are proposed in front of the main entrance to the care centre.

2 short term spaces and 6 long term spaces are proposed for cycle parking in front of the main building. This aligns with the requirements of the District Plan.

The application further notes that a number of the carparks provided do not meet the requirements of the District Plan in terms of dimensions. Most of the parking spaces are proposed as 90-degree spaces, 2.6m wide and 5.0m long, with 6.5m wide manoeuvring space along the main circulatory, 6.2m manoeuvring space at the laneways and 6.0m manoeuvring space at the main building entrance.

The disabled spaces are proposed 3.5m wide. Four parallel parking spaces are proposed near the type C1/C3 cottages, with 2.3m widths and 5.6m marked bays with manoeuvring space either in-front or behind the bay. Mr Lee has reviewed the parking spaces and consulted with the Council's Roading and Transport Manager, Joanne McBride, and agreed that, the parks are located in an area where good visibility is available and traffic speeds are expected to be very slow. It is considered that the spaces will operate effectively, efficiently and safely.

The parallel bays will extend either in front or behind of the parking bay for the formation of the bay indent which will increase the usable space for parking manoeuvres. It is considered that this arrangement will operate satisfactorily. I agree with this assessment.

### Noise

The application includes a generator report which details the noise of the proposed generator. The report concludes the following:

*"Powell Fenwick has been commissioned by Summerset to undertake an assessment of a proposed emergency generator. Calculated noise levels are less*

*than 32 dBA LA10 at neighbouring boundaries which is compliant with the Waimakariri District Plan Section 31.12.”*

Based on the report of Daniel Harris of Powell Fenwick and the predominant residential nature of the activity it is my view that it is unlikely that the noise provisions will be exceeded at any point within the Residential 2 Zone. In order to ensure that noise remains under the threshold limits of District Plan Rule 31.11.1.2.

### Servicing

#### *Water*

The development is proposed to be supplied from an existing 150mm water main on South Belt. Three connections were proposed from this existing main. Engineering design, drawings and calculations will be required for the proposed development together with fire-fighting requirements.

The retirement village will have particular requirements such as a commercial kitchen, laundry and outdoor features such as garden watering, water features, indoor pool and hydrotherapy spa so water infrastructure design will need to take all of these factors into account. A detailed design of the fire-fighting requirements of the village will need to be undertaken by a qualified fire engineer and in consultation with the New Zealand Fire Services as part of engineering approval.

#### *Sewer*

Sewer flows from the proposed development will be designed in accordance with the Waimakariri District Council ECOP. Full engineering drawings, design and calculations will be required. Relocation of a 300mm existing pipe from within the proposed site will be carried out in accordance with WDC ECOP. Wastewater from the site will be discharged to the existing manhole located at the south-eastern corner of the site.

The connection to this manhole will be subject to engineering approval. The connection point and the relocation of the existing wastewater is to be conditioned appropriately with any granted resource consent.

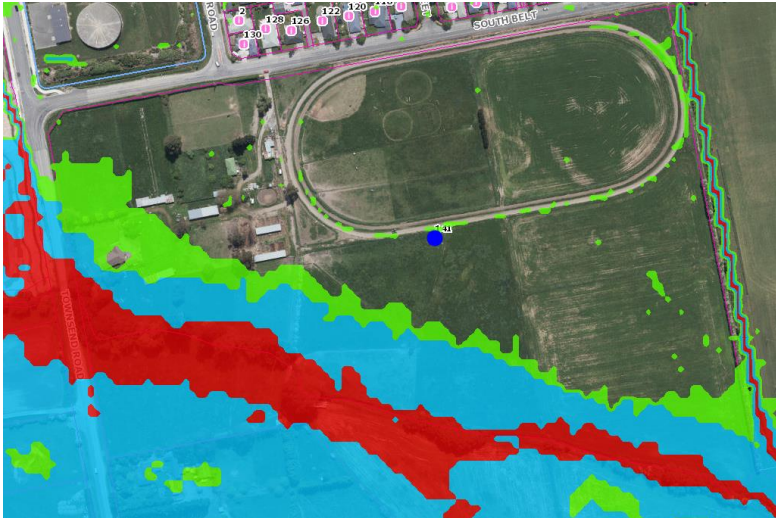
#### *Electricity and Communication*

The applicant noted that telecommunications and power will be supplied from the surrounding networks. There is no evidence from the providers to confirm that the capacity for power and telecommunications are adequate for the proposed development, however as the development is private there is no requirement that each unit is to have power and technology. The applicant, through the plan change process, provided evidence of consultation with Electricity and Communication cables provider to ensure that there is adequate supply to be achieved.

### Flooding

A floor level assessment has been provided by the applicant. The site has been identified as a flood hazard area within the WDC District Plan and Ashley River floodplain. The combined 200 year flood event has been modelled and the results indicated that predevelopment flows can cause inundation. Therefore, the finished floor level has been proposed 400mm above the 200 year event.

This is considered appropriate by Mr Lee and shall be conditioned with any granted consent. I agree with this assessment. The applicant confirmed that widening of Southbrook Stream is not necessary to mitigate any effects of flooding.



**Figure 12:** Waimakariri Council 1 in 200 year Annual Exceedance Probability Flooding Map.

Contamination - NESCS

Site investigations have been carried out which concluded that there is no obvious sign of ground contamination. One sampling location identified arsenic in surface soils exceeding the health-based NES-CS high-density residential land use soil contaminant standard. Samples tested across the site contained heavy metals (mainly lead, chromium and zinc) at concentrations greater than regional background criteria.

The DSI report sets out the management approach to the identified contaminated soil, and subject to remediation or management of a small area of the site and in accordance with a site-specific Site Management Plan (SMP), approved by the Waimakariri District Council, for the site, the site is considered to be suitable for residential development and use, based on testing information to date.

A Site Validation Report is conditioned to be provided. Mr Lee has reviewed this proposal and is satisfied that with the applicable conditions with any granted consent, the site will be appropriate for the retirement village use.

Assessment Conclusion

I note that I have read the applicants assessment of effects and generally agree with the conclusions therein.

I note that I also agree with the applicant’s consultants that the application will result in a number of positive effects on the wider environment.

Positive effects will include a number of social and wellbeing benefits for residents as well as providing further residential capacity for Rangiora, and will enable greater dwelling choice and accommodation options, particularly for the elderly.

Overall, it is concluded that any adverse effects of the proposal will be less than minor in terms of the wider environment and adjacent properties.

## **DECISION**

The Planning Manager, on the 14<sup>th</sup> May 2021, approved:

**THAT** pursuant to Section 104B of the Resource Management Act 1991 consent be granted to erect a retirement village comprising of a main building to a maximum of three storeys that includes 43 rest home and hospital beds, 20 memory care suites, 56 assisted living suites, and 260 self-contained villas and cottages, and associated ancillary village amenities, including but not limited to a gym, pool, lounges, library, café, chapel, hair salon, laundry and theatre as well as associated signage, landscaping and car parking, and to undertake earthworks under the Resource Management (National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health) Regulations 2011 at 141 South Belt, Rangiora, being part of the land contained in parcel Lot 1 DP 547085 as a discretionary activity subject to the following conditions which are imposed under Section 108 of the Act:

### **1. Application Plans**

- 1.1 The activity shall be carried out in accordance with the attached approved application plans, stamped RC205377, and information held on Council file RC205377, unless varied by the conditions below.
- 1.2 The activity shall be carried out in accordance with the following reports held on Council file RC205377, unless varied by the conditions below;
  - Resource Consent Application, Summerset Retirement Village – Rangiora, Boffa Miskell Ltd, 1 December 2020
  - Architectural Design Statement, Summerset Villages Rangiora, November 2020
  - Urban Design and Visual Assessment for Summerset Villages (Rangiora) Limited, James Bentley of Boffa Miskell Limited, 6 November 2020
  - Engineering Assessment to Support Resource Consent Application 141 South Belt Waimakariri, Rangiora, Leanne Sutherland of Riley Consultants, 5 November 2020
  - Earthworks and Sediment Control Assessment to Support Resource Consent Application 141 South Belt, Waimakariri Rangiora, Brendon Fisher of Riley Consultants, 6 November 2020
  - Geotechnical Investigation to Support Resource Consent Application 141 South Belt, Waimakariri Rangiora, Dominic Loh and Brent Clough of Riley Consultants, 5 November 2020

- Preliminary and Detailed Site Investigation to Support Resource Consent Application 141 South Belt, Waimakariri Rangiora, Ali Anwar of Riley Consultants, 5 November 2020
- Summerset Rangiora Retirement Village – Integrated Transportation Assessment Report, Andrew Leckie of Stantec, 10 November 2020
- Consent Report for Emergency Generator Installation Summerset Rangiora, Daniel Harris and Scott Pickering of Powell Fenwick, 25 September 2020

## **2. Standards**

2.1 All stages of design and construction shall be in accordance with the following standards (and their latest amendments) where applicable:

- Waimakariri District Council Engineering Code of Practice
- Waimakariri District Council Stormwater Drainage and Watercourse Protection Bylaw (2018)
- Erosion & Sediment Control Toolbox For Canterbury
- NZS 4404:2010 Land Development and Subdivision Infrastructure
- NZS 4431:1989 Earthfill for Residential Development
- NZS 6803:1999 Acoustics for Construction Noise
- New Zealand Pipe Inspections Manual AS/NZS 2845.1:2010 Water Supply: Backflow Prevention Devices: Materials, Design and Performance requirements
- New Zealand Industry Standard: Field Testing of backflow prevention devices and verification of air gaps
- SNZ PAS 4509:2008 New Zealand Fire Service Fire Fighting Water Supplies Code of Practice

## **3. Design Plans and Specifications**

3.1 The Consent Holder shall engage a Chartered Professional Engineer to submit 3 copies of all detailed designs, calculations, engineering plans and specifications for acceptance of the following works:

- The urbanisation of South Belt and the access from South Belt
- Stormwater, including stormwater management area
- Sewerage reticulation connection into South Belt
- Water, including backflow prevention device location and design
- Access culverts at South Belt

- Site Specific Environmental Management Plan (earthworks) including mitigation measures to be employed during the construction stage and contaminated land remedial details

3.2 Approval of complying documents shall be given in writing and work shall not commence until it has been received from the Council.

3.3 Any subsequent amendments to the plans and specifications shall be submitted to Council for acceptance.

#### **4. Supervision and Setting Out**

4.1 The Consent Holder shall, prior to the commencement of any works, engage a Chartered Professional Engineer or Registered Professional Surveyor, to manage the construction works including ensuring a suitably qualified person oversees all engineering works and setting out.

4.2 The supervising Chartered Professional Engineer shall complete and submit to the Council a 'Producer Statement (Construction)' on the completion of the works.

4.3 The Consent Holder shall engage a Registered Professional Surveyor or Licenced Cadastral Surveyor to establish permanent bench marks suitable for builders establishing finished floor levels for dwellings within the proposed development. The benchmarks shall reference a LINZ Survey mark of '1V or 2V' Orthometric Height order and be in terms of the Lyttelton Vertical Datum 1937.

#### **5. Earthworks**

5.1 The Consent Holder shall ensure that all rubbish, organic or other unsuitable material shall be removed off site to an authorised offsite facility for disposal.

5.2 The Consent Holder shall ensure all construction operations shall be limited to 7am to 6pm Monday to Saturday. No construction work shall take place on Sundays or Public Holidays, without prior approval of the Council for specific activities e.g. concrete pours.

5.3 All construction noise on the subject site shall be planned and undertaken to ensure that construction noise emitted from the site does not exceed the noise limits outlined in Table 2 of NZS6803:1999 Acoustics – Construction Noise. Sound levels associated with construction activities shall be measured and assessed in accordance with the provisions of NZS6803:1999 Acoustics – Construction Noise.

5.4 The Consent Holder shall ensure that earthworks and construction shall be carried out in accordance with a Construction Management Plan (CMP) which should include a Site Management Plan. This plan shall be prepared by a suitably qualified and experienced professional (SQEP) and submitted to the Council for acceptance, prior to works commencing on site.

5.5 The CMP shall include, as a minimum, the following information:

- a) An Erosion and Sediment Control Plan (ESCP)



- b) A Site Management Plan (SMP)
  - c) Details of stormwater management during the construction phase, including:
    - i. Minimisation of the flow of stormwater through the construction site.
    - ii. The works shall not be carried out during periods of heavy rain.
    - iii. The monitoring of the Council's stormwater infrastructure during the construction phase to ensure it is not overloaded.
  - d) Details of the dewatering procedure and treatment of the water prior to entering the Council's stormwater infrastructure, if necessary.
- 5.6 The Consent Holder shall be responsible for installing and maintaining any sediment control devices, protection of the existing land drainage and waterways and making regular inspections, repairs and changes to the proposed measures as required by the SMP.
- 5.7 The Consent Holder shall ensure stockpiles and building materials have a minimum setback of 10 metres from any sensitive areas (e.g. stormwater inlets, paved areas, footpaths or driveways), and are within a sediment control zone positioned behind the sediment barrier.
- 5.8 Stockpiles shall be located 20 metres away from any dwelling and shall be a maximum height of 5 metres. Any stockpile not removed after a period of 3 months shall be grassed to prevent sediment migration.
- 5.9 During all earthworks the Consent Holder shall employ dust containment measures, such as watering, to avoid off site nuisance effects created by dust.
- 5.10 The consent holder shall create construction site accesses from South Belt to the following minimum requirements:
- a) The access shall be formed and sealed generally in accordance with Waimakariri District Council Standard Drawing 600-218 issue E with a 10 metre metalled strip into the site.
  - b) The throat width shall be a minimum of 6.0 metres.
  - c) A 5 metre long shaker ramp shall be installed at the site end of the metalled strip, with provision for wheel wash facilities if required.

## **6. Environmental Management**

- 6.1 Prior to any works commencing on site the Consent Holder shall provide an Environmental Management Plan (EMP) to the Council for acceptance. The EMP shall detail the methodology of works and the environmental controls in place to limit effects from issues involving flooding, dust, noise and other pollutants. No works shall occur until this EMP has been submitted.

- 6.2 All works shall be carried out in accordance with the approved EMP including any subsequent amendments.
- 6.3 The Consent Holder shall provide to the Council an updated version of the EMP if it is amended.

## **7. Contaminated Materials**

- 7.1 The Consent Holder shall provide a Site Validation Report that includes evidence in the form of weight dockets confirming the volume of any contaminated fill taken off-site for disposal.
- 7.2 The Consent Holder shall ensure that any stockpiles of contaminated material not removed within 5 working days are securely covered to prevent sediment migration or dust generation.

## **8. Traffic Management Plan**

- 8.1 Prior to the commencement of the activity the Consent holder shall prepare a Construction Traffic Management Plan (CTMP), to be submitted for approval by the Council in writing as the road controlling authority as part of the Engineering Approval process prior to any works commencing on site.
- 8.2 The CTMP shall, as a minimum include the following:
  - a) A location plan showing the proposed works, site access points, site yard, and any other point on the local roading network to be regularly accessed during the works.
  - b) An indicative schedule of various work stages and anticipated traffic generation.
  - c) A schedule of roads to be used for haul roads for supply of materials, as well as haul roads used between various stages/locations of the work site.
  - d) The hours during which traffic will be generated in the vicinity of the site.
  - e) Identification of events, holidays and other periods when traffic patterns are likely to be uncharacteristic.
  - f) Details of signage, speed restrictions, detours, road closures and any other traffic management provisions to meet the requirements described in the NZTA Code of Practice for Temporary Traffic Management.
  - g) Contact names and telephone numbers, including 24 hour emergency contact details.
- 8.3 The Consent Holder shall review and change the CTMP if and when required. Any changes shall be submitted to the Council for acceptance.
- 8.4 Prior to works commencing on site the Consent Holder shall submit for acceptance a Traffic Management Plan detailing traffic control works

(including sketch layout and control signs). This plan may be submitted at the time of engineering plan provision and shall be submitted prior to work commencing in road reserves. Management shall be to Level 1, as described in the NZTA Code of Practice for Temporary Traffic Management.

## **9. Water Supply**

9.1 The Consent Holder shall design, install and commission a reticulated domestic water supply within the proposed development and connecting to the existing Rangiora Urban Water Supply. Connection/s shall be from the 150mm existing water main in South Belt. The proposed design shall be provided to the Council before construction commences on site, and the system shall be installed and commissioned prior to the buildings being occupied.

9.2 The Consent Holder shall install a reticulation water connection to the proposed development that incorporates the following minimum requirements:

- a) The installation of the 150mm diameter minimum PN 12 rated water mains complete with isolation valves and meter within a meter box, at each end of the proposed development.
- b) Appropriate 150mm diameter fully testable backflow prevention devices including a lockable cabinet at the frontage where the 150mm diameter main enters the lot.

Advice Note: Consideration could also be given to a continuous flow design to ensure that there is always a continuous flow of water even when the backflow device is being tested.

9.3 In accordance with the Council's Backflow Prevention Policy for High hazard activities the Consent Holder shall install a reduced pressure zone (RPZ) device immediately on the property owner's side of the point of supply, located as near as practicable to the property boundary, which shall be owned and maintained by the property owner. The device shall be located above the ground, protected by a suitable chamber or barrier/bollards, with lockable access to protect the device from physical damage. The device must be constructed in accordance with Standard Drawing 600-409A Issue B in the Council's Engineering Code of Practice, including the provision of an above ground box to protect the device. All devices must be accessible for testing at all times. The device must be installed by a suitably qualified individual, as defined in Council's Backflow Prevention Policy.

9.4 The Consent Holder shall apply to the Council's Water Asset Manager for approval to connect to the Council's existing water reticulation. The approval shall be given before works commence on the Council's reticulation.

9.5 At time of engineering plan submission the Consent Holder shall demonstrate that the development meets the fire-fighting requirements for the Residential 2 Zone in accordance with relevant New Zealand Standards.

## **10. Stormwater**

- 10.1 The consent holder shall install stormwater reticulation, treatment and disposal systems to service the development.
- 10.2 Internal units/villas shall be provided with individual connections to the internal private reticulation.

## **11. Waste Water**

- 11.1 The Consent Holder shall install a reticulated sewer system to service the development in accordance with approved plans and specifications and in accordance with the Waimakariri District Council Engineering Code of Practice.
- 11.2 The Consent Holder shall connect the development discharge to the existing manhole (Asset Number WW008277) where is located at the eastern boundary, at design grades as set out in the Waimakariri District Council Engineering Code of Practice. All sewer mains, including laterals to the boundary, shall be sited for line and grade, air tested and inspected at the expense of the Consent Holder.
- 11.3 The sewer system shall be designed to incorporate resilience to settlement. Specifically, where gravity sewer systems are to be constructed in land prone to ground settlement, then the gravity sewer shall meet the following requirements over 95% of the gravity reticulation system unless specifically authorised otherwise, in writing, by the 3 Waters Manager of the Council:
- a) Maximum depth of pipe overt of 3.0 metres
  - b) Minimum grade of 1:200
  - c) The sewer shall be designed and constructed to withstand settlement due to ground consolidation, with no more than 50mm vertical deviation and 100mm of horizontal deviation in any 50m length of main over 95% of the gravity reticulation system.
  - d) The design shall be resilient, and shall incorporate specific resilient design components, including ground improvement where necessary, geotextile wrapping of all pipe joints, elongated pipe joints at junctions and manholes, and the use of backfill such as AP65 or similar. Other specific resilient design and construction techniques shall be considered where necessary, such as geotextile wrapping of the trench bedding and backfill.
- 11.4 The Consent Holder shall engage a Chartered Professional Engineer to prepare and sign an engineering and geotechnical report, which shall certify that the design, and construction of all infrastructure, shall achieve the criteria of conditions 11.2 and 11.3. This report shall be prepared upon completion of the works and submitted to Council, in writing, prior to the onsite activity becoming operative.
- 11.5 The Consent Holder shall test all wastewater mains, for leaks, dips, deviations and defects by using CCTV in accordance with the NZ Pipe Inspection Manual 3rd Edition and achieve an "Excellent Rating". Any defects, leaks or dips shall be rectified. The CCTV recordings, records, and

results, contained either on a USB stick or uploaded via the Council Sharefile system, shall be submitted to the Council for approval.

- 11.6 The Consent Holder shall apply to the Council's Wastewater Asset Manager for approval to connect to the Council's existing sewer reticulation. The approval shall be given before works commence on the Council's reticulation.
- 11.7 Connections to the existing Council reticulation shall be carried out by a Council approved contractor at the expense of the Consent Holder following application to the Council.
- 11.8 The Consent Holder shall investigate conditions of the existing manhole for the connection work of discharge from the development. If the manhole conditions are not adequate to accept the connection from the development then the Consent Holder shall install a new manhole at their own cost. Any existing sewer pipes shall also be re-connected.
- 11.9 The Consent Holder shall disconnect and cap the existing sewer (300mm) currently located in the development site. A new pipe shall be installed at the Consent Holders cost from pipe Asset Number WW001822 located outside of the northern boundary to 141 South Belt and laid along South Belt to inside of 129 South Belt and laid south connecting to pipe WW001827. The detailed design drawings including locations, grades and connection details shall be submitted for engineering approval approved prior to any work commencement on site.
- 11.10 All mains in the road reserve and public access ways are to be vested in Council.

## **12. Flooding**

- 12.1 The Consent Holder shall ensure onsite earthworks are not to create flood nuisance or damage effects offsite through concentration, diversion or loss of flood storage.

## **13. Finished Ground and Floor Levels**

- 13.1 Prior to the construction of buildings the Consent Holder shall ensure that finished ground levels avoid inundation in a combined 0.5% Annual Exceedance Probability local flood and 0.5% Ashley River break out event.
- 13.2 The Consent Holder shall provide in writing, prior to the commencement of construction, a post earthworks "as-built" land and flood level contour plan that clearly demonstrates that habitable dwellings within the application site will not be flooded in a combined 0.5% Annual Exceedance Probability (AEP) local flood and 0.5% Ashley River break out event.
- 13.3 The Consent Holder shall provide design plans and report prepared by a Chartered Professional Engineer that clearly demonstrate that habitable dwellings will not be flooded in a combined 0.5% Annual Exceedance Probability local flood and 0.5% Ashley River break out event following the proposed earthworks. The design and report shall be provided to the Council for acceptance at the time of engineering approval.

## 14. Roading

- 14.1 The Consent Holder shall design, construct and test all roading and footpaths included in the widening and urbanisation of South Belt in accordance with the approved plans and specifications and the requirements set out in the Waimakariri District Council Engineering Code of Practice Standard Drawing 600 - 272 (issue C). To that effect, the following road layouts shall be used:
- a) Urban Collector Road – Note South Belt has an existing 20m legal width
  - b) 3.3 metre minimum width of a lane
  - c) Number of lanes required is two
  - d) 2.5 metre parking lane width
  - e) Number of parking lanes required is two
  - f) 1.5 metre minimum width of a footpath which shall be concrete
  - g) 1.2 metre minimum grassed verge between kerb and footpath
  - h) Minimum number of footpaths is two
  - i) Street lighting shall comply with AS/NZS 1158 V4 lighting
  - j) One street tree per 20 metres, subject to approval by the WDC Development Manager.
- 14.2 The Consent Holder shall carry out Benkelman Beam tests or other approved in-situ formation bearing tests following completion of the base course layer and prior to sealing. The Council shall approve the test results.
- 14.3 The Consent Holder shall carry out Clegg Hammer testing of footpath and kerb formation bearing tests following completion of the base course layer and prior to concreting/surfacing. A measured minimum Clegg Impact Value of 25 for footpaths and 35 for kerb formation shall be obtained to assure adequate compaction and pavement strength prior to sealing/pouring concrete.
- 14.4 The Consent Holder shall ensure no excavation commences within a public road reserve without the prior receipt of a Corridor Access Request (CAR) from the Waimakariri District Council.
- 14.5 The Consent Holder shall submit plans of all proposed road markings and traffic control signs on South Belt for approval as part of the Engineering approval process.
- 14.6 The Consent Holder shall construct all roading and footpaths on South Belt to service the development in accordance with the approved plans and specifications and the requirements set out in the Waimakariri District Council Engineering Code of Practice Standard Drawing 600-203A Issue C, 600-203B Issue D, 600-205 Issue C, 600-206 Issue D, 600-222 Issue E, 600-224 Issue D, 600-227 Issue D, 600-231 Issue D, 600-233 Issue D, 600-272 Issue D and 600-275 Issue C (cul-de-sac head).
- 14.7 The Consent Holder shall ensure that the pedestrian sight visibility splays, in accordance with Figure 30.3 of the Waimakariri District Plan, shall be achieved at all locations where vehicle accesses cross pedestrian routes, including ramps or driveways crossing footpaths.
- 14.8 On submission of engineering plans for approval, the Consent Holder shall submit a Road Safety Audit in accordance with NZTA's Road Safety Audit

Guidelines for all works within public roads and adjacent site accesses. The audit team shall be independent of the Council, and of the design teams for The Summerset project. It shall include members who have extensive experience in the design and operation of shared pedestrian and cycle facilities. The audit team shall be agreed with between the applicant and the Council prior to commissioning. Actions resulting from the Road Safety Audit shall be agreed between the applicant and the Council.

## **15. Vehicle Crossing**

15.1 The Consent Holder shall ensure that a suitably qualified and experienced Chartered Professional Engineer shall design the site access from South Belt. The design shall consider:

- a) Indivisibility between access users and adjacent footpath, shared path, and road users;
- b) Crossing of the footpath. The crossing shall be designed to address issues of pedestrian priority and safety, and safe access of vehicles into and out of the site and may incorporate NZTA's design guidance note "High-use driveway treatment for cycle paths and shared paths" (August 2019);
- c) Turning paths;
- d) Vertical gradients.

The design shall be submitted for the Council's approval prior to construction commencing on site.

15.2 The Consent Holder shall Clegg Hammer test the access prior to sealing. A measured Clegg Impact Value of at least 25 for the footpath and 35 for the crossing shall be obtained to assure adequate compaction and pavement strength prior to sealing. Documentation shall be supplied to Council confirming the test results obtained.

## **16. Car Park**

16.1 The Consent Holder shall mark all car park spaces as set out on the approved plans, stamped RC205377.

## **17. Waste Management**

17.1 At least 20 working days prior to construction of the first unit commencing, the Consent Holder shall submit a Waste Management Plan for approval, in writing, to the Council's Solid Waste Manager.

17.2 As a minimum, the Waste Management Plan shall include the following information:

- a) The size of the Council-provided recycling bins that will be provided to each unit.
- b) Whether waste collection services will be provided by the Council or by a private collector.

- c) If rubbish collection is to be provided by private collector, the proposed location of the collection point (on-property or at kerbside), day of the week, and frequency of collection.
- d) If waste collection is to be provided by the Council, the size and type of bins that will be provided to each unit. Note that the Council will require all bins/bags to be placed at kerbside, clear of all driveways and so-as not to create a nuisance to the public.
- e) Allocation of storage space for the bins at each unit, for the required number of bins.
- f) Consideration of how residents will be able to move the bins from the storage space to either the collection point or the kerbside. Sufficient clear space needs to be provided around the units to wheel the bins past the buildings without having to take the bins through the living space (e.g. gates/paths need to be wide enough for the bins, pathways not partially blocked by air conditioner units).

## **18. Landscaping**

- 18.1 The Consent Holder shall ensure that any existing Council street trees are protected during the works (including any existing tree pits incorporated into the new footpath/access surfacing).

## **19. Esplanade Reserve**

- 19.1 The vesting of the esplanade reserve shall occur at the time of the next subdivision consent associated with the site, or within 3 years of the granting of this consent, whichever is the lesser.

## **20. Accidental Discovery Protocol**

- 20.1 Where suspected urupa, wahi tapu, wahi taonga or any place associated with human activity that occurred before 1900 and is discovered:
  - a) Earthworks within 5m of the discovery shall stop immediately;
  - b) All machinery within 5m of the discovery shall be shut down immediately;
  - c) All persons within 5m of the discovery shall leave the area;
  - d) The land owner shall be advised of the discovery;
  - e) Heritage New Zealand Pouhere Taonga shall be advised of the discovery and either the Regional Archaeologist of the Heritage New Zealand Pouhere Taonga has confirmed in writing that the archaeologist provisions of Heritage New Zealand Pouhere Taonga do not apply; or the requirements of Heritage New Zealand Pouhere Taonga have been met and, if required, an archaeological authority (consent) has been granted by Heritage New Zealand Pouhere Taonga;
  - f) Where the place is associated with Maori activity that occurred before 1900 the land owner shall consult Te Ngai Tuahuriri Runanga to determine in consultation with the Heritage New Zealand Pouhere



Taonga, what further actions are appropriate to safeguard the site or its contents, and to avoid, reduce, remedy or mitigate any damage to the site; and

- g) The Waimakariri District Council shall be notified.

20.2 Where koiwi tangata (human remains) are suspected:

- a) Steps shall be taken immediately to secure the area in a way that ensures the koiwi tangata are untouched;
- b) Te Ngai Tuahuriri Runanga, the Police, the Waimakariri District Council and Heritage New Zealand Pouhere Taonga shall be notified;
- c) the Consent Holder or suitable representatives shall be available to meet and guide kaumatua, Police, Waimakariri District Council and Heritage New Zealand Pouhere Taonga staff to the site, assisting with any requests that they may make;
- d) Earthworks within 5m of the affected area shall remain halted until the Taumatua, the Police and Heritage New Zealand Pouhere Taonga staff have marked off the area around the site and have given approval for earthworks to recommence, including notification that the archaeological provisions of Heritage New Zealand Pouhere Taonga have been met and, if required, an archaeological authority (consent) has been granted by Heritage New Zealand Pouhere Taonga.

## 21. **Signage**

21.1 Site signage shall be limited to the following:

- a) 23 temporary signs attached to the boundary fence along South Belt, with each sign measuring up to 7.2m<sup>2</sup> during construction only.
- b) 1 temporary 18m<sup>2</sup> (6m x 3m) with a total height of 4.8m freestanding sign at the corner of Townsend Road and South Belt within the site, during construction only.
- c) 1 permanent sign displayed on the feature wall of the main entrance to the village of 1.5m<sup>2</sup>.

## 22. **Setbacks**

22.1 The development shall provide for the following minimum setbacks as per approved and stamped plan, Master Plan – Unit Types & Unit Mix RC.011 revision A:

- a) 3m from the Southern Boundary
- b) 3m from the Northern Boundary
- c) 3m from the Western Boundary

## 23. **Conditions Auditing**

23.1 The Consent Holder shall notify Council at least one working day prior to commencing of the works.

**24. Monitoring and Review Condition**

24.1 Pursuant to Section 128 of the Resource Management Act 1991, the Council may serve notice on the consent holder of its intention to review conditions of this consent:

- a) within 6 months following the commencement of the consent and thereafter annually; and
- b) to deal with any adverse effect on the environment which may arise from the exercise of the consent including any adverse effects of construction activity associated with the activity on adjacent residential properties, or
- c) for any other purpose specified in the consent,
- d) All costs associated with any review shall be met by the Consent Holder.

**ADVICE NOTES**

- a) The Consent Holder is advised that Traffic Management Plan forms can be sourced from Council Service Centres, or on-line at: <https://www.waimakariri.govt.nz/home>.
- b) The Erosion & Sediment control Toolbox for Canterbury can be found on the ECan website link <http://escscanterbury.co.nz/>
- c) The Consent Holder is advised that requirements and conditions listed are a statement of the Council's minimum standards. Where the Consent Holder proposes higher standards or more acceptable alternatives these shall be submitted to the Council.
- d) The consent is a resource consent in terms of the Resource Management Act 1991. It is not a consent under any other Act, Regulation or Bylaw.
- e) It is advised that the consent holder will need to apply to the Waimakariri District Council for the easement across the site to be surrendered before any buildings can be constructed over that land.
- f) It is advised that any future subdivision separating the retirement village from the balance land, the Consent Holder should consider and allow for a road connection through the balance land to the proposed rear/western boundary of the greater Summerset village.
- g) Connection to the water reticulation and wastewater reticulation will be undertaken at the Consent Holders expense and connection must be completed by a Council approved Contractor.
- h) The Consent Holder is advised that no excavation shall commence within a public road reserve without the prior receipt of a Corridor Access Request (CAR).

- i) The Consent Holder is advised that Producer Statement Design and Construction forms can be sourced from the 'Engineering Code of Practice Part 3 Quality Assurance', Council Service Centres, or on-line at: <https://www.waimakariri.govt.nz/home>.
- j) Compliance with the above conditions may be verified by inspection by a Council Officer pursuant to Section 35(2)(d) of the Resource Management Act 1991. For inspection/s conducted under the above condition, the Consent Holder should pay to the Council charges pursuant to Section 36(1)(c) of the Resource Management Act 1991 to enable the Council to recover its actual and reasonable costs in carrying out the inspections.
- k) The minimum level of inspection should be as follows:

#### Earthworks

- Following the erection/construction of all measures to accord with the Council approved site specific Environmental Management Plan.
- Following topsoil removal and excavation to subgrade.
- During construction to inspect subsoils.
- After soiling, prior to sowing.

#### Trenching

- Prior to backfilling of services.
- During compaction of the trench backfilling.

#### Services

- During installation.
- Testing of water, sewer and stormwater mains and laterals.
- During construction of the swales.
- Disinfection of water mains.
- CCTV Inspection.
- Following completion of required works.

#### Roading, Footpaths, and Accesses

- Following shaping of Roothing and footpath sub-grade prior to placement of sub base material.
- Following metalling up, prior to pouring of any concrete kerb and channel and/or footpath.

- Following compaction of base course prior to sealing. The carriageway shall be tested with a Benkelman Beam and the kerb and channel, access and footpath with a Clegg Hammer. The results shall be submitted to Council for approval.

#### Landscaping

- Before setting out of planting and installation of fixtures.
- On completion of the required works.

#### Environmental Management

- Following set up of erosion and sediment control measures as per approved EMP.
- During progress of the works.

#### Whole works

- One week prior to end of maintenance period (where applicable).
- On completion of maintenance period (where applicable).

### **REASONS FOR THE DECISION**

Pursuant to Section 113 of the Act the Council considered the following factors in determining the application:

- The village will achieve the anticipated characteristics of the District Plan contained in Policy 17.1.1.1, it is in accordance with the Outline Development Plan and will ensure alignment with the objectives and policies of the District Plan.
- The proposed retirement village provides for a mixed density with the proposal including villas, cottages, assisted living, memory care and hospital. This provides for varied needs of the aging population in Rangiora. The proposal also complies with, height, structure coverage, recession planes and structure setbacks.
- The number of vehicle movements generated by the retirement village would be similar to the number of vehicle movements generated if the site were developed to Residential 2 standards.
- Site signage along South Belt and at the corner of Townsend Road and South Belt will be temporary during construction only and then will be removed, leaving one permanent sign displayed on the feature wall of the main entrance to the village. This sign will provide passers-by the site identification of the village.

- The development has a car parking requirement under the current district plan of 556 spaces, with 567 car parking spaces proposed to be provided by the development.
- The construction period is to be undertaken in stages to manage effects of construction and, together with a management plan approach, the effects of earthworks can be appropriately managed.
- Finished floor levels along with finished ground levels have been conditioned in order to appropriately mitigate any adverse effects from flooding.
- The potential or actual adverse environmental effects will be less than minor.

DATED at Rangiora this 17th Day of May 2021



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SIGNED by Sam Kealey  
**RESOURCE MANAGEMENT PLANNER**